



## Community Development Department

### RENAISSANCE ZONE AUTHORITY MEETING AGENDA August 10, 2017

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David J. Blackstead Meeting Room      4:00 p.m.      City-County Office Building

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Item No.

Page No.

### MINUTES

1. Consider approval of the minutes of the July 13, 2017 meeting of the Renaissance Zone Authority.

### REGULAR AGENDA

*Requests for Renaissance Zone and/or Downtown Design Review approval*

2. **PUBLIC HEARING: Proximal 50 Lease | 122 North Mandan Street**  
Renaissance Zone and Downtown Design Review .....13  
*Staff recommendation: approve*      ☐ approve      ☐ continue      ☐ table      ☐ deny
3. **PUBLIC HEARING: Proximal 50 Rehabilitation | 122 North Mandan Street**  
Renaissance Zone and Downtown Design Review .....13  
*Staff recommendation: approve*      ☐ approve      ☐ continue      ☐ table      ☐ deny
4. **Continuation of Active Life Chiropractic Rehabilitation | 201 West Main Avenue**  
Downtown Design Review .....40  
*Staff recommendation: To be determined*      ☐ approve      ☐ continue      ☐ table      ☐ deny
5. **Guaranteed Rate Sign | 311 North Washington Street**  
Downtown Design Review ..... 41  
*Staff recommendation: approve*      ☐ approve      ☐ continue      ☐ table      ☐ deny

### OTHER BUSINESS

6. **Staff Direction on Scope of Downtown Design Review** .....



7. Review of Public Hearing Procedures and Bylaws ..... 46

8 . Update from Downtowners Association .....

**ADJOURNMENT**

9. **Adjourn.** The next regular meeting date is scheduled for **September 14, 2017.**

Enclosures: Renaissance Zone Project Status Spreadsheet

**BISMARCK RENAISSANCE ZONE AUTHORITY  
MEETING MINUTES  
JULY 13, 2017**

The Bismarck Renaissance Zone Authority met on July 13, 2017 in the David J. Blackstead Meeting Room in the City-County Office Building at 221 North 5<sup>th</sup> Street. Chairman Walth presided.

Authority members present were Josh Askvig, Jim Christianson, Todd Van Orman and Chairman Curt Walth. Joe Fink participated via teleconference.

Authority members Chuck Huber and George Keiser were absent.

Technical Advisor Steph Smith and Bruce Whittey were present.

Staff members present were Sandra Bogaczyk (Office Assistant), Carl Hokenstad (Director of Community Development), Will Hutchings (Planner), Brenda Johnson (Senior Real Property Appraiser), Daniel Nairn (Planning), Andrew Stromme (Planning Intern), and Jason Tomanek (Assistant City Administrator).

Guests present were Melissa Gordon (Mel-ink Studio), Brittany Jalbua (Kittsona), James Devine and Carrie Meyer (J2 Studio), Doug Ness (Active Life Chiropractic), Scott Bina (Mann Signs), and Loran Galpin (Galpin Company).

**CALL TO ORDER**

Chairman Walth called the meeting to order at 4:02 p.m.

**MINUTES**

The minutes of the June 8, 2017 meeting were distributed with the agenda packet.

**MOTION:** A motion was made by Mr. Christianson and seconded by Mr. Van Orman to approve the minutes of the June 8, 2017 meeting. The motion passed unanimously with members Askvig, Christianson, Fink, Van Orman and Chairman Walth voting in favor.

Chairman Walth began by recognizing and thanking the Burleigh County Commission, Bismarck School Board and the Bismarck Parks and Recreation District for supporting the renewal of the Renaissance Zone program, and gave special recognition to Mayor Seminary and Commissioner Askvig for both acknowledging the Renaissance Zone Authority and praising the group for the work they have accomplished.

## **RENAISSANCE ZONE PROJECTS**

### **201 WEST MAIN AVENUE, 701 ROOTS, LLC – REHABILITATION**

Mr. Nairn stated that the applicant, 701 Roots, LLC, is requesting a rehabilitation Renaissance Zone designation, as well as Downtown Design Review approval for a project located at 201 West Main Avenue creating a chiropractic clinic, massage, gym, and rental space for additional tenants, and lease a 6,000 square foot portion of the building. The applicant, Active Life Chiropractic, PC, is also requesting the designation of a lease project within this building. Both entities are owned by Doug Ness and Sara Weigel.

Mr. Nairn continued stating that the parcel currently contains both the structure formerly leased to Main Street Tire and the attached structure formerly leased to Junkyard Chic. The applicant intends to improve the structure for reuse as a chiropractic clinic, with space for massage therapy and a gym. This rehabilitation applies to the northern and western portions of the building. Additional space within the building would be leased out to other tenants. Mr. Nairn stated that the total project costs for the improvements is estimated to be approximately \$600,000. Future tenants of the additional space could potentially apply as a separate lease project in the future.

Mr. Nairn stated that under the guidelines for a rehabilitation project, the applicant must invest at least 50% of the assessed building value and \$40 per square foot. With a current assessed building value of \$827,600, the required investment threshold would be \$413,800. The amount of investment per square foot varies depending on which area is measured. If this is calculated as the entire building square footage, this would be \$613,000. If this is calculated as only the portion of the building proposed to be rehabilitated with this project, the required amount would be \$240,000. The Renaissance Zone guidelines give flexibility to the Renaissance Zone Authority on the \$40 per square foot threshold.

Mr. Nairn clarified that the portion of this block was omitted from the original boundaries of the Renaissance Zone, although it is within the DC – Downtown Core zoning district. The Renaissance Zone recommended adding this area to the Renaissance Zone during their June 28, 2017 Special Meeting, and the approval of this addition is pending with the City Commission and the North Dakota Department of Commerce. Any designation of this Renaissance Zone project will be conditional upon final approval of the expansion.

Mr. Nairn also stated that the property functions as an important gateway to the downtown from points west on Main Avenue. As such, the aesthetic improvement of this building and site can give a positive first impression for visitors entering the downtown and set a standard for future rehabilitation in this portion of the Renaissance Zone.

Mr. Nairn stated that the footprint of the building would not substantially change, other than the addition of an entryway vestibule. The building would remain one-story in height in its current location, set back from the front property line. The materials proposed for the exterior siding are a corrugated metal siding, stone, and reclaimed barnwood. The Downtown Design

Guidelines recommend materials that are high-quality and “relate to the existing material in texture, finish, scale, and other design elements or aspects to help tie the building into the composition of the neighborhood.” Therefore, Mr. Nairn noted that the adjacent building on the same property is intended to remain brick on the front and treated cinderblock on the side. Many of the surrounding buildings are brick. Although the Downtown Design Guidelines certainly allow for creative expression and building individuality, the substitution of brick at least as an accent material would improve cohesiveness with the surroundings. Mr. Nairn stated that the parking area on the site is intended to remain the same, although the lot would be reconfigured to allow two rows of parking with 23 total off-street spaces. A 5-foot pedestrian walkway at grade with the parking area and a landscaping strip would be added to the north side of the building. It is unclear from the submitted site plan whether unobstructed pedestrian access will be available between West Main Avenue and the entrance. It is also unclear whether the pedestrian area against the building will be protected from parked vehicle encroachments. Pedestrian-friendly design is a priority of the Downtown Design Guidelines.

Mr. Nairn stated that the existing curb cuts for the driveways into the site are excessively wide. The western entrance is approximately 50 feet in width and the eastern opening is approximately 33 feet. Standard widths for driveways to parking lots range from 24 to 30 feet. Replacement of the sidewalk areas in conjunction with this project could yield an additional two to three on-street parking spaces while improving pedestrian safety and comfort along the West Main Avenue sidewalk.

Mr. Nairn stated that in the current design, additional landscaping would be provided along the north building edge. Staff also recommends landscaping improvements along the northern street edge of the property. Street trees, similar to those along the parking lot the west, could potentially fit in this location without impeding the operation of the parking lot. This would improve the site by visually breaking up the large swath of paved area, and providing shade and greenery to the users.

Mr. Nairn stated that the applicant intends to keep the south side of the building as is. Although this faces the railroad tracks, the side is still visible from Front Avenue. Adding windows and making other modifications to this side may result in difficulties with the railroad. At a minimum, the removal of the Main Street Tire sign and repainting to a compatible color are recommended. Repainting the side of the eastern building from white would also improve cohesiveness of the design.

Mr. Nairn stated that the applicant intends to include a wall sign, as well as a few logos on the building. The applicant may repurpose the existing pole sign, but that decision has not been made. Locations and designs of the signage should be provided prior to approval under Downtown Design Review.

Based on findings contained in the staff report, staff recommends approval of the designation of 201 West Main Avenue as a Renaissance Zone rehabilitation project for 701 Roots, LLC for a 100% property tax exemption on the value of the condominium and an exemption of up to \$10,000 from personal state income tax for five taxable years beginning with the date of

occupancy, approval of a designation of 201 West Main Avenue as a lease project for Active Life Chiropractic, PC for a five-year state income tax exemption, and tabling the approval of Downtown Design Review until issues noted in this staff report are resolved. However, staff recommended continuation of the design review approval until issues raised can be addressed.

Chairman Walth opened the public hearing.

There being no comments, Chairman Walth closed the public hearing.

Mr. Whittey asked if the brick was going to be improved. Mr. Nairn stated that it was not in the plan. Mr. Whittey expressed his concern since this project is including a space which is not to be rehabilitated, yet saw a need to rehabilitate the entire building on the parcel. This project would deny any future incentives for the non-rehabilitated space unless a lot split could be approved. Mr. Nairn also confirmed that there is no conditions report, which also concerned Mr. Whittey since only part of the property was included in the request.

Mr. Christianson and Chairman Walth were also concerned about the unfeasibility of a future project if the entire property was not rehabilitated. Mr. Nairn confirmed that unless a lot split were to be approved that no future Renaissance Zone project could be created for this parcel.

Mr. Ness confirmed that a structural analysis was done and the roof passed but the warehouse walls on the railroad side required some attention. He also stated that the cost is not included in the request, but rather, he was intending to work with a potential future tenant to share those costs.

Mr. Ness stated that the intent is to just paint the railroad side of the building. He also stated that the Main Street Tire sign on this side has been removed.

Chairman Walth asked if there were any projects like this where there are separate business spaces in the same parcel, but not entirely rehabilitated. Mr. Tomanek stated that Bread Poets had a partial tax exemption since they were not improving the east part of the building they occupied. He also mentioned that State law changed because of that case, however. Mr. Tomanek added that there was never any question of improving the other portion of the building in the future, however, whereas that is not the case with this request.

Mr. Tomanek stated that granting a tax exemption for the entire parcel when only a portion of the buildings are being rehabilitated. One solution is to request a lot split. Mr. Ness stated that there is a question of access for tenants and the owners, but that it would be a definite separation.

Mr. Ness stated that he will have to check with his lender to see how a lot modification would affect his financing.

Mr. Askvig joined the Authority at 4:30 and Chairman Walth briefed him on what he missed.

Mr. Walth asked if the owners would consider talking with a Planner about the possibility of a lot split and come back at the August meeting with a request. Mr. Ness stated that timing would not allow him to wait another month.

Mr. Tomanek mentioned that it is also a possibility for the owners to change the percentage of tax exemption to a lower rate and then request a higher rate if they were to in the future improve the other part of the building which must happen before the project is closed. Mr. Nairn stated that the 6,000 square foot rehabilitation would amount to approximately 39% of the entire building area on the parcel.

Chairman Walth asked how long the project is projected to take. Mr. Ness stated that they want to choose contractors soon, but the timeline has not been finalized yet. Mr. Tomanek emphasized that the request could be amended any time before it is closed out.

Mr. Fink asked if partial tax exemption could be based on square footage alone. Mr. Tomanek stated that it could.

**MOTION:** A motion was made by Mr. Christianson and seconded by Mr. Van Orman to approve the rehabilitation Renaissance Zone designation at 201 West Main Avenue with an income tax and 39% property tax exemption for five years, corresponding to the percentage of the total building area proposed for rehabilitation, with the option to extend the scope of the rehabilitation or divide the parcel at any time prior to completion of the project, on the condition that the project receives Downtown Design Review approval prior to the completion of the project. The motion passed with members Askvig, Christianson, Van Orman and Chairman Walth voting in favor and Mr. Fink voting against.

## **DOWNTOWN DESIGN REVIEW**

### **201 WEST MAIN AVENUE, 701 ROOTS, LLC – REHABILITATION**

As mentioned previously, based on findings contained in the staff report, staff recommended tabling the approval of Downtown Design Review until issues noted in the staff report and mentioned herein are resolved.

Ms. Smith stated that she would like to see a full landscape plan along with alternative exterior materials to the suggested use of barn wood in order to coordinate with current downtown buildings.

Mr. Whittey would like to see a site plan to see how landscape interacts with materials, and stated his concern with the use of corrugated siding, preferring to see alternative materials. Mr. Whittey also questioned how parking would be affected by landscape, sidewalk and pedestrian walkway placement.

**MOTION:** A motion was made by Mr. Askvig and seconded by Mr. Christianson to table action on the proposed design for the building at 201 West Main Avenue. The motion passed unanimously with members Askvig, Christianson, Fink, Van Orman and Chairman Walth voting in favor.

### **117 NORTH 4<sup>TH</sup> STREET – MURAL**

Mr. Nairn stated that the applicant is requesting Downtown Design Review approval for a mural on the north side of the building at 117 North 4<sup>th</sup> Street, facing the alley between North 4<sup>th</sup> Street and North 5<sup>th</sup> Street and stated that the artist, Mahalia Mees, has received a grant to create a mural and is also participating in the alley art project between North 5<sup>th</sup> and North 6<sup>th</sup> Streets. The theme of the art would be angel wings. Examples were distributed to Authority members.

Mr. Nairn stated that this project was previously proposed for the front of the Seeds of Hope building on East Main Avenue during the May 11 Renaissance Zone Authority meeting. The Renaissance Zone Authority voted to continue discussion of the request, pending approval of a broader set of guidelines for public art. Staff noted that the proposed location meets the first three conditions within the proposed guidelines.

Mr. Nairn stated that the building proposed for the artwork, currently used as the Kittsona retail establishment, is listed as a contributing structure in the downtown historic district. However, given the fact that the proposed location is already covered with graffiti, staff believes this would not be considered the “original façade” of the building and the artwork would be a substantial improvement over existing conditions.

Based on findings contained in the staff report, staff recommended approval of the proposed design at 117 North 4<sup>th</sup> Street as presented in all submitted documents and materials, with the following conditions:

1. The property owner submits written consent to the project.
2. Any substantive revisions to the approved design or location must be reconsidered by the Downtown Design Review Committee prior to implementation

Mr. Christianson stated his desire to also get an approval from the adjacent property owner by submitting written consent to the project.

Mr. Nairn stated that he had a conversation with Brian Peterson, who owns the adjacent property to the north and that Mr. Peterson did not have any concerns about the mural.

Mr. Fink stated his concern that a damaging precedent might be set if the Renaissance Zone Authority approves of a painting on an historical structure.



Mr. Tomanek mentioned that the façade has been painted many times and the original façade is no longer visible.

Chairman Walth agreed with Mr. Fink's concern about setting controversial precedents so early in the lifespan of the new public art guidelines.

**MOTION:** A motion was made by Mr. Askvig and seconded by Mr. Van Orman to approve the proposed mural design for the building at 117 North 4<sup>th</sup> Street with the conditions that adjacent building owner approve the project, and with the consideration that any substantive design changes must be approved by the Renaissance Zone Authority, sitting as the Downtown Design Review Committee, prior to implementation. The motion passed with members Askvig, Christianson, Van Orman and Chairman Walth voting in favor and Mr. Fink voting against.

#### **409 NORTH 4<sup>TH</sup> STREET – MURAL**

Mr. Nairn stated that the applicant is requesting Downtown Design Review approval for the installation of a mural on the north façade of 409 North 4<sup>th</sup> Street, the building currently occupied by Glance Spa and Salon. A prototype of the proposed painted artwork was distributed to Authority members.

Mr. Nairn also stated that the mural would face the parking lot on the adjoining property. By ordinance, any exposed walls are required to be treated. Preliminary treatments to the cinderblock exterior have been made, and the artwork is intended to be a final treatment. This request meets all four of the guidelines recently approved by the Renaissance Zone Authority and recommended for approval by the City Commission. The artwork would not directly face a public right of way, the message is of a non-commercial nature, the building is occupied, and the building is not within the Downtown Historic District.

Based on findings contained in the staff report, staff recommended approval of the proposed design at 409 North 4<sup>th</sup> Street as presented in all submitted documents and materials, with the condition that any substantive revisions to the approved design must be reconsidered by the Renaissance Zone Authority, sitting as the Downtown Design Review Committee, prior to implementation.

Bruce Whittey asked how the artwork would be preserved. Ms. Gordon, the artist, stated that she uses an acrylic clear coat used at other locations. Chairman Walth and Mr. Christianson asked who was responsible for the maintenance of the artwork. Mr. Tomanek mentioned that the Bismarck Downtown Art Co-operative has stated that they will help maintain artwork in the Art Alley and the artist is a member of that co-operative.

Mr. Askvig also expressed the possibility of the neighboring business putting up a business right in front of the painted wall.

Mr. Van Orman stated that maintaining public art should have the same expectation the city has for maintaining any façade, siding, or structural element.

Mr. Askvig reminded Authority members that a maintenance clause is not part of the public art guidelines but that members could look at that issue another time.

**MOTION:** A motion was made by Mr. Askvig and seconded by Mr. Fink to approve the proposed public art design for the building at 409 North 4<sup>th</sup> Street with the condition that any substantive design changes must be approved by the Renaissance Zone Authority, sitting as the Downtown Design Review Committee, prior to implementation. The motion passed with members Askvig, Christianson, Fink, Van Orman voting in favor and Chairman Walth voting against.

### **501 EAST MAIN AVENUE (115 SOUTH 5<sup>TH</sup> STREET), ELBOW ROOM – SIGN**

Mr. Nairn stated that the applicant is requesting Downtown Design Review approval for the sign installed on the south façade, facing the railroad tracks, of 501 East Main Avenue for the Elbow Room bar. The sign is replacing an existing sign in the same location with a similar design. The sign meets the requirements of the existing sign regulations, as well as the requirements of the proposed new sign regulations as recommended for approval by the Renaissance Zone Authority, including the installation of 1-inch raised letters on the face of the sign. The size of the sign will remain the same, at approximately 36 square feet.

Based on findings contained in the staff report, staff recommended approval of the proposed sign design at 501 East Main Avenue as presented in all submitted documents and materials, with the condition that any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

Mr. Fink asked if the awning was part of the sign or part of the structure. Mr. Bina stated that it is part of the structure.

**MOTION:** A motion was made by Mr. Askvig and seconded by Mr. Van Orman to approve the proposed sign design for the building at 409 North 4<sup>th</sup> Street with the condition that any substantive design changes must be approved by the Renaissance Zone Authority, sitting as the Downtown Design Review Committee, prior to implementation. The motion passed unanimously with members Askvig, Christianson, Fink, Van Orman and Chairman Walth voting in favor.

### **109 NORTH 4<sup>TH</sup> STREET, CAPITAL GALLERY – SIGN**

Mr. Nairn stated that the applicant is requesting Downtown Design Review approval for the sign to be installed on the west façade of 109 North 4<sup>th</sup> Street for the Capital Gallery. The sign is intended to hang from an awning that was previously installed and an image was

distributed to Authority members. Mr. Nairn explained that the new sign will meet all requirements of the downtown sign ordinance for canopy signs; that the sign does not extend more than twelve inches below the awnings, or three inches from the edge, and there is a seven foot clearance from the sidewalk.

Mr. Nairn stated that in the current ordinance “projecting signs” are limited to one per business, but the regulations for “canopy signs” do not include this restriction. Because this most closely fits the definition of canopy sign, staff does not believe this restriction should apply. The sign meets the requirements of the existing sign regulations, as well as the requirements of the proposed new sign regulations as recommended by the Renaissance Zone Authority.

Based on findings contained in the staff report, staff recommended approval of the proposed sign design at 109 North 4<sup>th</sup> Street as presented in all submitted documents and materials, with the condition that any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

**MOTION:** A motion was made by Mr. Askvig and seconded by Mr. Van Orman to approve the proposed sign design for the building at 109 North 4<sup>th</sup> Street with the condition that any substantive design changes must be approved by the Renaissance Zone Authority, sitting as the Downtown Design Review Committee, prior to implementation. The motion passed unanimously with members Askvig, Christianson, Fink, Van Orman and Chairman Walth voting in favor.

## **OTHER BUSINESS**

### **RENAISSANCE ZONE EXTENSION REQUEST**

Chair Walth stated that Authority members have discussed this topic already.

### **CLOSEOUT OF CORE INCENTIVE GRANT PROGRAM**

Chairman Walth tabled the discussion and a voice vote to approve was unanimous.

### **DOWNTOWNERS ASSOCIATION**

Chairman Walth stated that the Downtowners Association, in absentia, sent an email voicing strong support of the CORE Technical Assistance Program and their wish to continue it.

Mr. Askvig stated his support of the idea of funding the CORE Technical Assistance Program but also stated a desire to create a pause in time between the closure of the TIF District and introducing any additional incentives.

Chairman Walth wanted to see what the numbers for funding CORE looked like. Mr. Nairn stated that the City has spent \$6600 per year on average for the last five years on Technical Assistance Grants.

Mr. Whittey expressed how technical assistance projects really are the engine that make Renaissance Zone projects work. He stated that better projects come to the Renaissance Zone Authority due to these CORE Technical Assistance Program grants.

Chairman Walth tabled the discussion

## **ADJOURNMENT**

There being no further business, Chairman Walth adjourned the meeting of the Bismarck Renaissance Zone Authority at 5:13 p.m.

Respectfully Submitted,

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Sandra Bogaczyk  
Recording Secretary

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Curt Walth  
Chairman



## STAFF REPORT

City of Bismarck  
Community Development Department  
Planning Division

Agenda Item # 2-3

August 10, 2017

**Application for: Renaissance Zone – Lease**  
**Renaissance Zone – Rehabilitation**  
**Downtown Design Review**

TRAKiT Project ID: RZ2017-011

TRAKiT Project ID: RZ2017-012

TRAKiT Project ID: DDR2017-011

### Project Summary

<i>Title:</i>	Proximal 50 Lease and Rehabilitation
<i>Project Type:</i>	Lease Rehabilitation
<i>Status:</i>	Renaissance Zone Authority
<i>Applicant(s)</i>	Tana Trotter, Proximal 50, Inc. Herman Eggers Revocable Living Trust
<i>Owner(s):</i>	Herman Eggers Revocable Living Trust
<i>Project Description:</i>	Rehabilitate a leased space into a fitness center



*Street Address:* 122 North Mandan Street

*Legal Description:* Lots 1-6 and Lot 36, Block 30,  
Original Plat and all vacated  
alleys adjacent to said lots.

*RZ Block #* 15

### Project Information

<i>Parcel Size (square feet):</i>	26,250	<i>Building Floor Area (square feet):</i>	12,958	<i>Estimated Property Tax Benefit:</i>	\$35,000
<i>Lease Area (square feet):</i>	12,958	<i>Certificate of Good Standing:</i>	Pending	<i>Estimated Income Tax Benefit:</i>	TBD

### Staff Analysis

The applicant, Herman Eggers Revocable Living Trust, requests a rehabilitation Renaissance Zone designation and the applicant, Tana Trotter/Proximal 50, requests a lease Renaissance Zone designation for a project located at 122 North Mandan Street. The project is in the DC – Downtown Core zoning district, and therefore Downtown Design Review approval is required. This report will evaluate both requests separately.

#### Renaissance Zone Designation

The business, Proximal 50, is a fitness center that is proposing to expand into downtown Bismarck. The original facility is in operation at 1151 West Divide Avenue. As such, the business would qualify as expanding and new to the Renaissance Zone.

No previous Renaissance Zone designation has been granted for this building. Therefore, program guidelines require a minimum investment of \$40 per square foot in capital and permanent cosmetic improvements to

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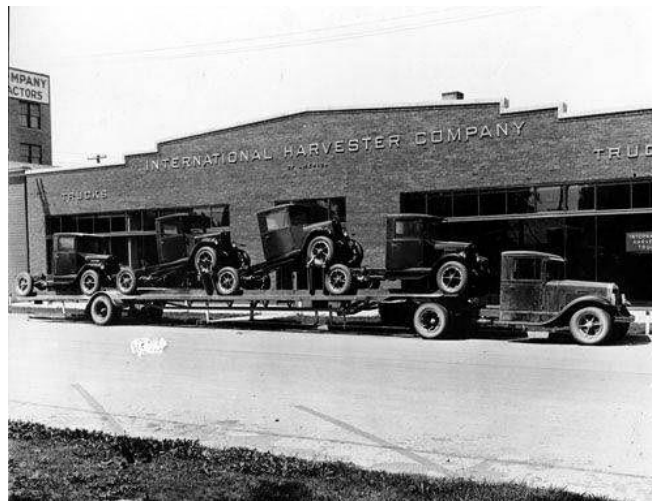


*Existing Building at 122 North Mandan Street*

qualify as a rehabilitation project (the least project qualifications are only \$30 per square foot). Based on the total building square footage of 12,958, the minimum investment must be \$518,320. The applicant has submitted a project cost estimate of \$590,000, which would satisfy the investment requirements. The building is currently assessed at \$329,900, so the State minimum investment of 50% of assessed value would amount to \$164,950. The proposed project easily meets this threshold.

If the rehabilitation project is approved, the lease project would automatically qualify as a lease within a building rehabilitated with a Renaissance Zone project. The business would qualify for a 100% income tax exemption for this site.

Rehabilitation projects must be comprehensive and remove all signs of blight within the building. The condition assessment notes that there are structural problems with the roof. The Renaissance Zone Authority should confirm that repairs to the roof will be made as component of this project.



*Historic Photo of the west façade of 122 N. Mandan*

#### *Downtown Design Review*

The applicant was granted a CORE Technical Assistance Grant on June 27, 2017 to create designs for the building rehabilitation. The work has been completed and is attached to this report.

The building is a contributing structure of the downtown historic district. An excerpt from the inventory is attached. As such, the ordinance and guidelines contain requirements related to preserving the original character of the building. The proposed design includes several elements intended to meet this intent, including the restoration of windows along Broadway Avenue and the west-facing and south-facing sides that have previously been bricked over.

The original transom windows on the North Mandan Street side were replaced with corrugated metal many years ago. The applicant does not intend to restore the transom windows at this time, but rather to repaint to the existing metal to match the Proximal 50 branding. Restoring the front of the building in the same manner as the other sides of the building would be a benefit.

The eastern-most window opening on the Broadway Avenue side is currently missing a portion of the sill. This appears to have been removed with the addition of ventilation in this area. This sill and potentially any windows removed at that time would have to be replaced with the restoration.

*(continued)*

The site lacks street trees or any vegetated landscaping on either street frontage. There appears to have been street trees along the Broadway Avenue side in the past, but the tree wells have since been cemented over.

The Downtown Design Guidelines state:

*“Design to increase vegetation. Add vegetation to enhance the sense of place and tie the site into the surrounding natural environment. Consider giving vegetation a dual purpose. For example, trees could screen a parking lot or ramp while providing shade.”*

The addition of street trees would improve the aesthetics of the site, provide shade, and assist with screening of the parking areas.

A new main entry will be added to the Broadway side of the building. The guidelines recommend visual cues to enhance the prominence of the main entry. While the shape of the building seems to indicate that the entryway is on the North Mandan side, an awning and signage will be added to draw attention to the Broadway Avenue entrance.

There is existing electrical and other utility equipment against the south side of the building, which are clearly visible from the street. Screening these utilities would provide a benefit.

Signage is shown in the designs. As shown, the wall signs appear to meet all of the requirements of Title 04-04-09 relating to signs in the downtown. A number of existing wall signs will be removed.

The applicant appears to be leaving the parking area as is. Because the building provides direct pedestrian access to the street, the design meets the downtown design review requirements for pedestrian-oriented design.

### **Required Findings of Fact**

#### *Renaissance Zone - Rehabilitation*

1. The proposed project is consistent with the goals and objectives of the City's Renaissance Zone Development Plan.

2. The proposed exterior rehabilitation would be sufficient to eliminate any and all deteriorated conditions on the exterior of the building.
3. The proposed project meets the relevant minimum project eligibility criteria for the City of Bismarck Renaissance Zone program, as shown in the attached scoring sheet.

#### *Renaissance Zone – Lease*

1. The proposed project is consistent with the goals and objectives of the City's Renaissance Zone Development Plan.
2. The proposed exterior rehabilitation would be sufficient to eliminate any and all deteriorated conditions on the exterior of the building.
3. The proposed project meets the relevant minimum project eligibility criteria for the City of Bismarck Renaissance Zone program, as shown in the attached scoring sheet.

#### *Downtown Design Review*

1. The proposed design conforms to Sections 4-04-09, 14-04-21.1, and 14-04-21.2 of the Bismarck Code of Ordinances, relating to Design Standards within the DC – Downtown Core and DF – Downtown Fringe zoning districts.
2. The proposed design conforms to the purpose and intent of the 2015 Downtown Design Guidelines, and other relevant plans and policies.

### **Staff Recommendation**

Based on the above findings, staff recommends approval of the designation of 122 North Mandan Street as a Renaissance Zone rehabilitation project for Herman Eggers Revocable Living Trust for a five-year income and 100% property tax exemption, approval of a designation of 122 North Mandan Street as a lease project for Proximal 50, Inc. for a five-year income tax exemption, on the condition that all signs of blight including any roof repairs are addressed with the project.

Based on the above findings, staff recommends approval of Downtown Design Review for the rehabilitation project, with the condition that any substantive revisions to the approved design must be

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reconsidered by the Downtown Design Review Committee prior to implementation.

**Attachments**

1. Renaissance Zone Criteria Scoring Sheet – Rehabilitation
2. Renaissance Zone Criteria Scoring Sheet – Lease
3. Location Map
4. Project Narrative Submitted by Applicant

5. Plans and Elevations of Project
6. Existing Building Condition Assessment
7. Excerpt from Downtown Inventory of Historic Places

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*Staff report prepared by:* Daniel Nairn, AICP, Planner  
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Will Hutchings, Planner  
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## Renaissance Zone Criteria Project Scoring Sheet

<b>Title:</b>	Proximal 50 Rehabilitation	<b>Current Valuation:</b>	\$329,900
<b>Project Type:</b>	Rehabilitation	<b>Proposed Capital Investment:</b>	\$590,000

Minimum Criteria for Proposals Involving a Rehabilitation:		Possible Points	Staff Rating
1	Proposal is in the City of Bismarck Renaissance Zone and not within a block that has been deemed completed.	10	10
2	The property or lease space has not received Renaissance Zone funding in the past for the project type proposed (however, a lease of space within a building rehabilitated through a previous Renaissance Zone project may be eligible).	10	10
3	Project consistent with the Renaissance Zone Development Plan, specifically:  <b>A1:</b> Maintain the Zone as a mixed-use area accommodating a wide range of retail, governmental, service and residential functions.  <b>A3:</b> Promote and advocate activities and programs that meet the needs of varied age, interest, and socioeconomic groups at all times of the day and night and throughout the year.  <b>B2:</b> Identify unique businesses, events, and other attractions that may be feasible in the Zone.	20	20
4	Significant level of investment based on requirements for rehabilitation	20	20
<b>Subtotal</b>		<b>60</b>	<b>60</b>

Project Review Guidelines - Required:			
1	High Priority Land Use <ul style="list-style-type: none"> <li>• Primary sector business</li> <li>• Active commercial, specialty retail and/or destination commercial</li> <li>• Mixed use development</li> <li>• Residential units, including single or multi-family units</li> </ul>	15	5
2	Capital Investment <ul style="list-style-type: none"> <li>• Consideration for level of capital investment (either by owner or lessee)</li> </ul>	15	15
3	Targeted Area <ul style="list-style-type: none"> <li>• Parcels that have been vacant or underutilized for an extended period</li> <li>• Parcels specifically targeted for clearance</li> </ul>	15	15
4	Relocation (vs. New or Expanding Business) <ul style="list-style-type: none"> <li>• Relocation from within the downtown area (may not be eligible)</li> <li>• Relocation from a community outside Bismarck area (may not be eligible)</li> <li>• Maintaining existing business in the downtown area or expanding business</li> </ul>	15	15
<b>Subtotal</b>		<b>60</b>	<b>50</b>
<b>TOTAL</b>		<b>120</b>	<b>110</b>

Project Review Guidelines – Optional:			
1	Public Space/Design <ul style="list-style-type: none"> <li>• Incorporation of civic or public spaces</li> <li>• Demonstrated commitment to strengthen pedestrian connections</li> <li>• Attention to streetscape amenities and landscaping</li> <li>• Attention to design and visual appearance</li> </ul>	10	0
2	Historic Preservation and Renovation <ul style="list-style-type: none"> <li>• Within the downtown historic district</li> <li>• Contributing or non-contributing</li> <li>• Historic preservation component</li> </ul>	10	5
<b>Subtotal</b>		<b>20</b>	<b>5</b>
<b>TOTAL</b>		<b>140</b>	<b>115</b>

## Renaissance Zone Criteria Project Scoring Sheet

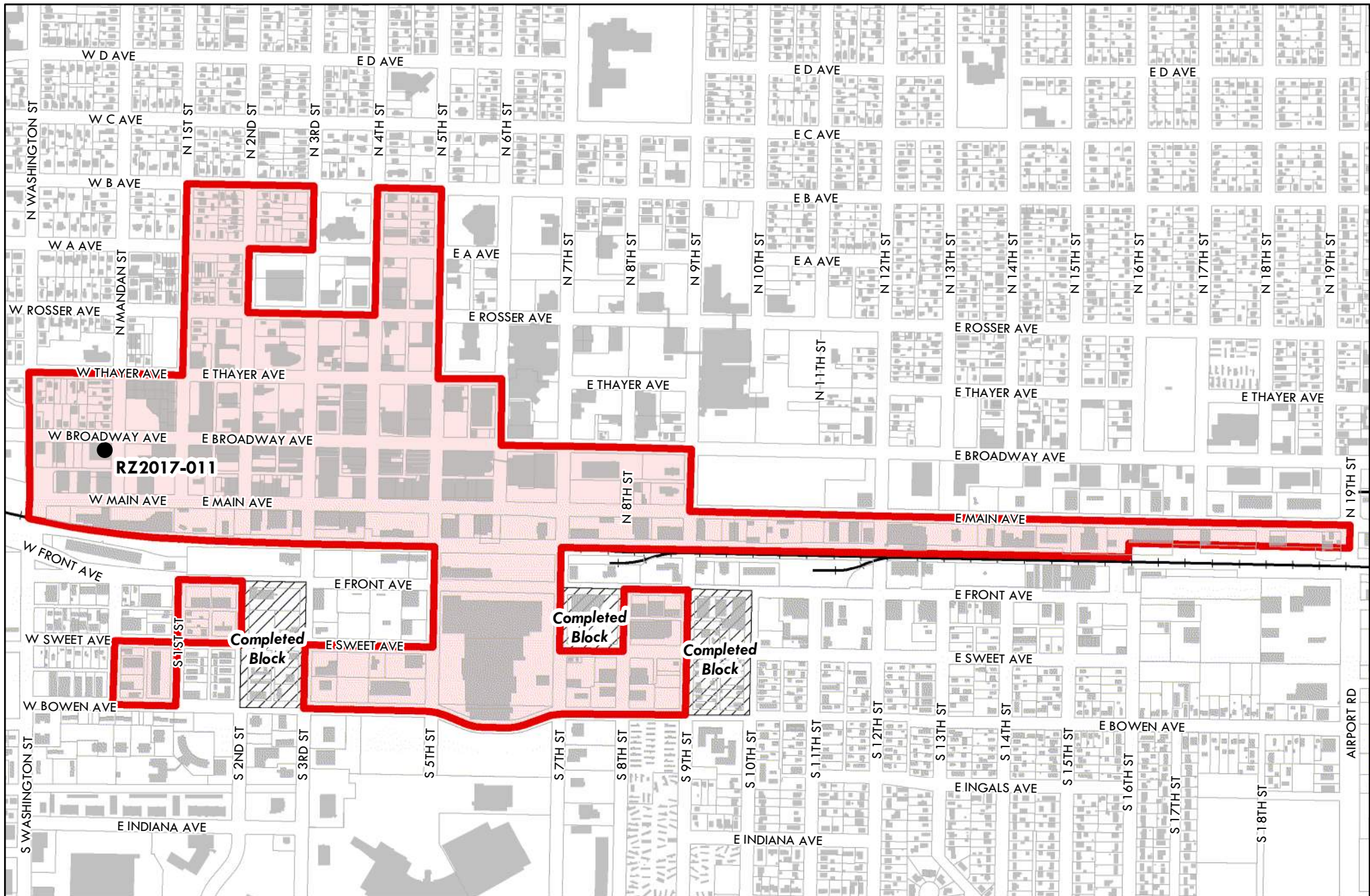
<b>Title:</b>	Proximal 50 Rehabilitation Lease	<b>Current Valuation:</b>	\$329,900
<b>Project Type:</b>	Lease	<b>Proposed Capital Investment:</b>	N/A

Minimum Criteria for Proposals Involving a Lease:		Possible Points	Staff Rating
1	Proposal is in the City of Bismarck Renaissance Zone and not within a block that has been deemed completed.	10	10
2	The property or lease space has not received Renaissance Zone funding in the past for the project type proposed (however, a lease of space within a building rehabilitated through a previous Renaissance Zone project may be eligible).	10	10
3	Project consistent with the Renaissance Zone Development Plan, specifically:  <b>A1:</b> Maintain the Zone as a mixed-use area accommodating a wide range of retail, governmental, service and residential functions.  <b>A3:</b> Promote and advocate activities and programs that meet the needs of varied age, interest, and socioeconomic groups at all times of the day and night and throughout the year.  <b>B2:</b> Identify unique businesses, events, and other attractions that may be feasible in the Zone.	20	20
4	Lease is within a previously approved Renaissance Zone project	20	20
<b>Subtotal</b>		<b>60</b>	<b>60</b>

Project Review Guidelines - Required:			
1	High Priority Land Use <ul style="list-style-type: none"> <li>Primary sector business</li> <li>Active commercial, specialty retail and/or destination commercial</li> <li>Mixed use development</li> <li>Residential units, including single or multi-family units</li> </ul>	15	5
2	Capital Investment <ul style="list-style-type: none"> <li>Consideration for level of capital investment (either by owner or lessee)</li> </ul>	15	15
3	Targeted Area <ul style="list-style-type: none"> <li>Parcels that have been vacant or underutilized for an extended period</li> <li>Parcels specifically targeted for clearance</li> </ul>	15	15
4	Relocation (vs. New or Expanding Business) <ul style="list-style-type: none"> <li>Relocation from within the downtown area (may not be eligible)</li> <li>Relocation from a community outside Bismarck area (may not be eligible)</li> <li>Maintaining existing business in the downtown area or expanding business</li> </ul>	15	15
<b>Subtotal</b>		<b>60</b>	<b>50</b>
<b>TOTAL</b>		<b>120</b>	<b>110</b>

Project Review Guidelines – Optional:			
1	Public Space/Design <ul style="list-style-type: none"> <li>Incorporation of civic or public spaces</li> <li>Demonstrated commitment to strengthen pedestrian connections</li> <li>Attention to streetscape amenities and landscaping</li> <li>Attention to design and visual appearance</li> </ul>	10	0
2	Historic Preservation and Renovation <ul style="list-style-type: none"> <li>Within the downtown historic district</li> <li>Contributing or non-contributing</li> <li>Historic preservation component</li> </ul>	10	5
<b>Subtotal</b>		<b>20</b>	<b>5</b>
<b>TOTAL</b>		<b>140</b>	<b>115</b>

# Renaissance Zone Program - Project Location Map







## PROXIMAL 50 DOWNTOWN

122 N. MANDAN ST  
BISMARCK ND 58501

Cole Johnson  
Architect  
701-224-7313  
[Cole.Johnson@EAPC.net](mailto:Cole.Johnson@EAPC.net)



Architecture	Engineering	Industrial
Wind Energy	Interior Design	Construction

TELE **701.258.3116** FAX **701.223.7983**

116 W Main Ave, Suite A, Bismarck ND 58501

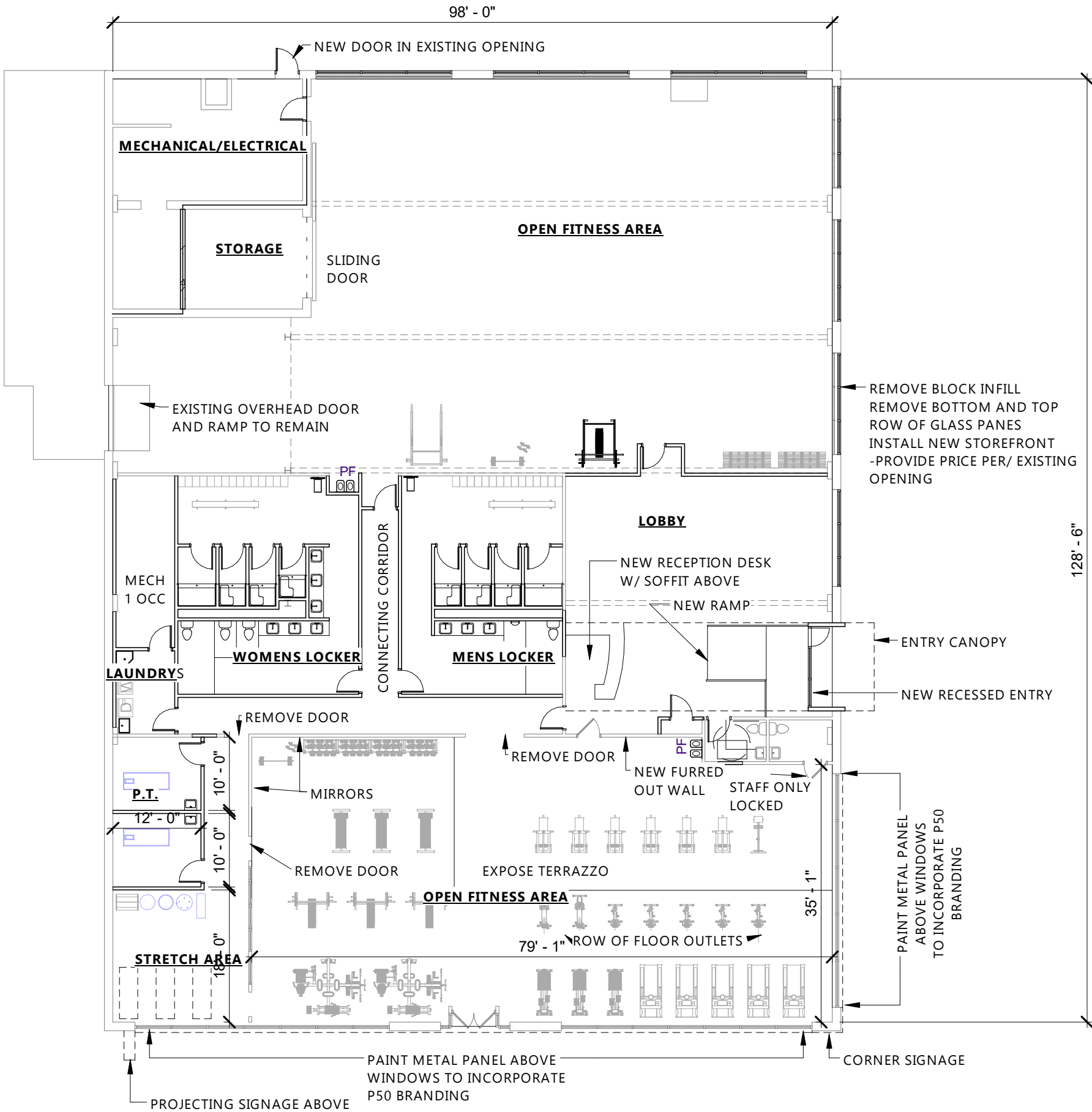
Grand Forks ND	Fargo ND	Bismarck ND
Williston ND	Minot ND	Norwich VT
Bemidji MN	Buenos Aires ARG	

[www.eapc.net](http://www.eapc.net)





SITE PLAN | 1"=30'-0"

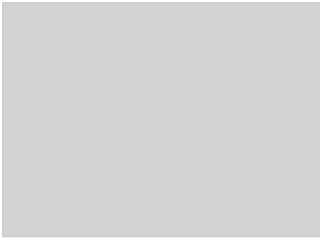


FLOORPLAN | 1/16"=1'-0"

PROPOSED BUILDING MATERIALS



**DARK GREY:**  
Factory Finished Aluminum Storefront  
Aluminum Panels at New Entry  
Paint at Wall Sill Base



**ANNODIZED ALUMINUM:**  
Paint at Existing Transom Metal Panel  
Metal of New Signage  
Aluminum Storefront at New Entry



**ORANGE:**  
Paint at Existing Window Sills  
Metal at New Signage



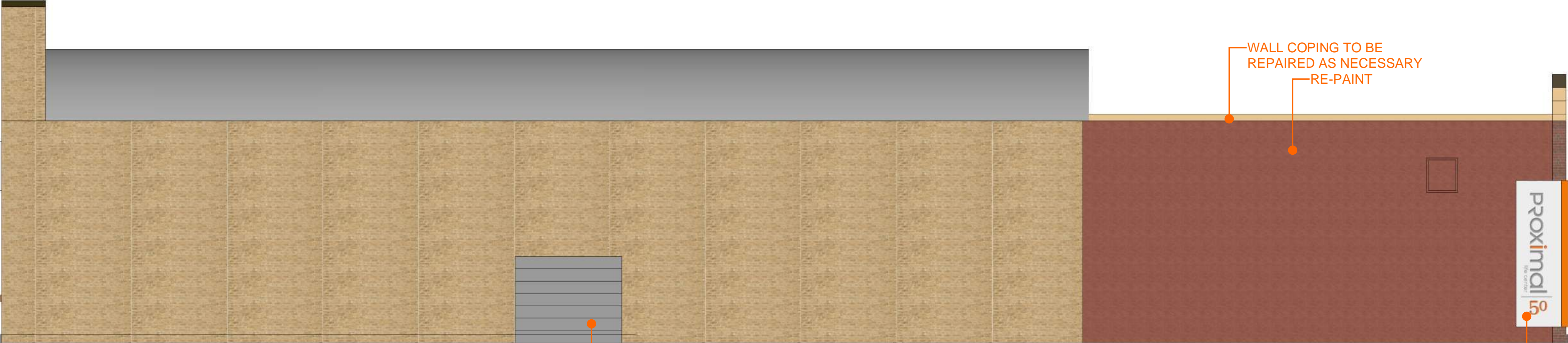
NORTH ELEVATION | 1/8"=1'-0"





EAST ELEVATION | 1/8"=1'-0"



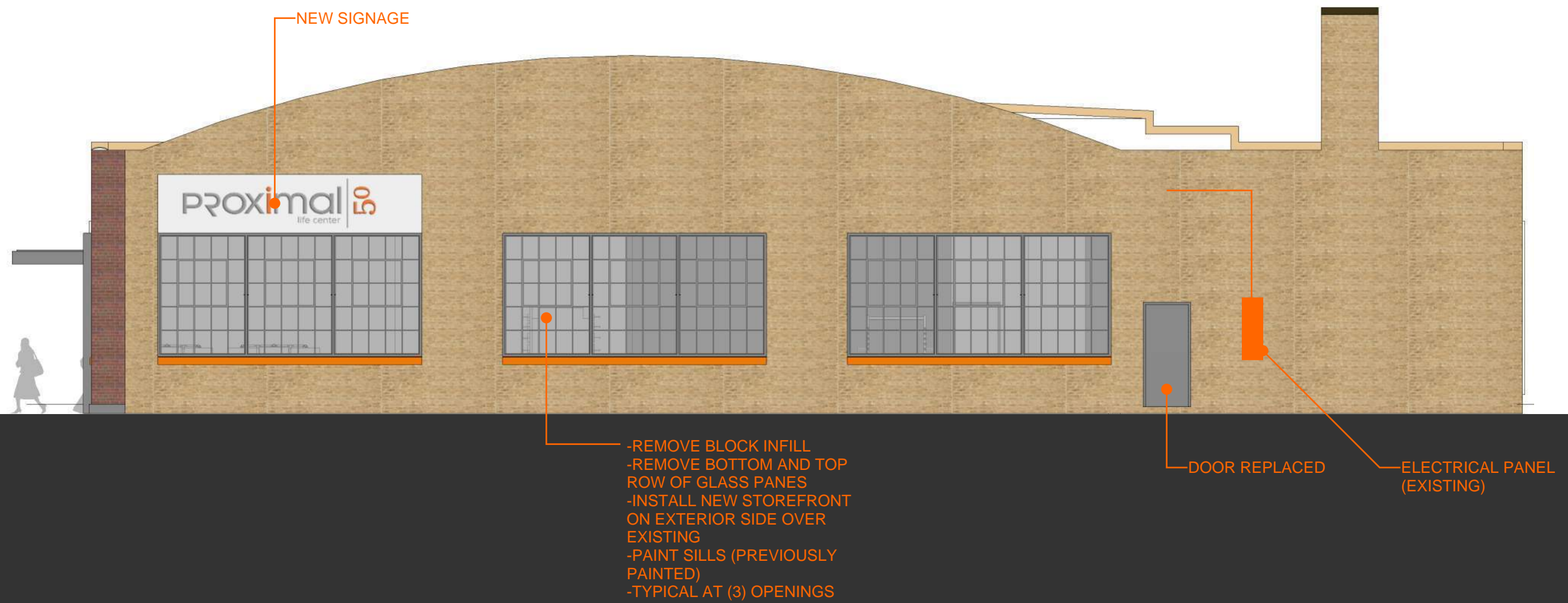


EXISTING OVERHEAD DOOR  
TO REMAIN

WALL COPING TO BE  
REPAIRED AS NECESSARY  
RE-PAINT

NEW SIGNAGE

SOUTH ELEVATION | 1/8"=1'-0"



WEST ELEVATION | 1/8"=1'-0"



PERSPECTIVE

proximal 50  
life center

EAPC  
ARCHITECTS ENGINEERS





PERSPECTIVE





PERSPECTIVE







PERSPECTIVE





EXISTING PHOTO - NORTH





EXISTING PHOTO - NORTH EAST





SIGNAGE  
REMOVED

BLOCK  
INFILL  
REMOVED

LIGHTING ONE SHOWROOM



EXISTING PHOTO - NORTH WEST





EXISTING PHOTO - SOUTH WEST





DOOR REMAINS

BOARDS  
REMOVED

WALL  
REPAINTED

PRIVATE  
PROPERTY

DO NOT  
REMOVE  
LIGHTING  
CUSTOMER  
WORKING  
ONLY

EXISTING PHOTO - SOUTH



LEAD AND  
ASBESTOS  
ABATEMENT

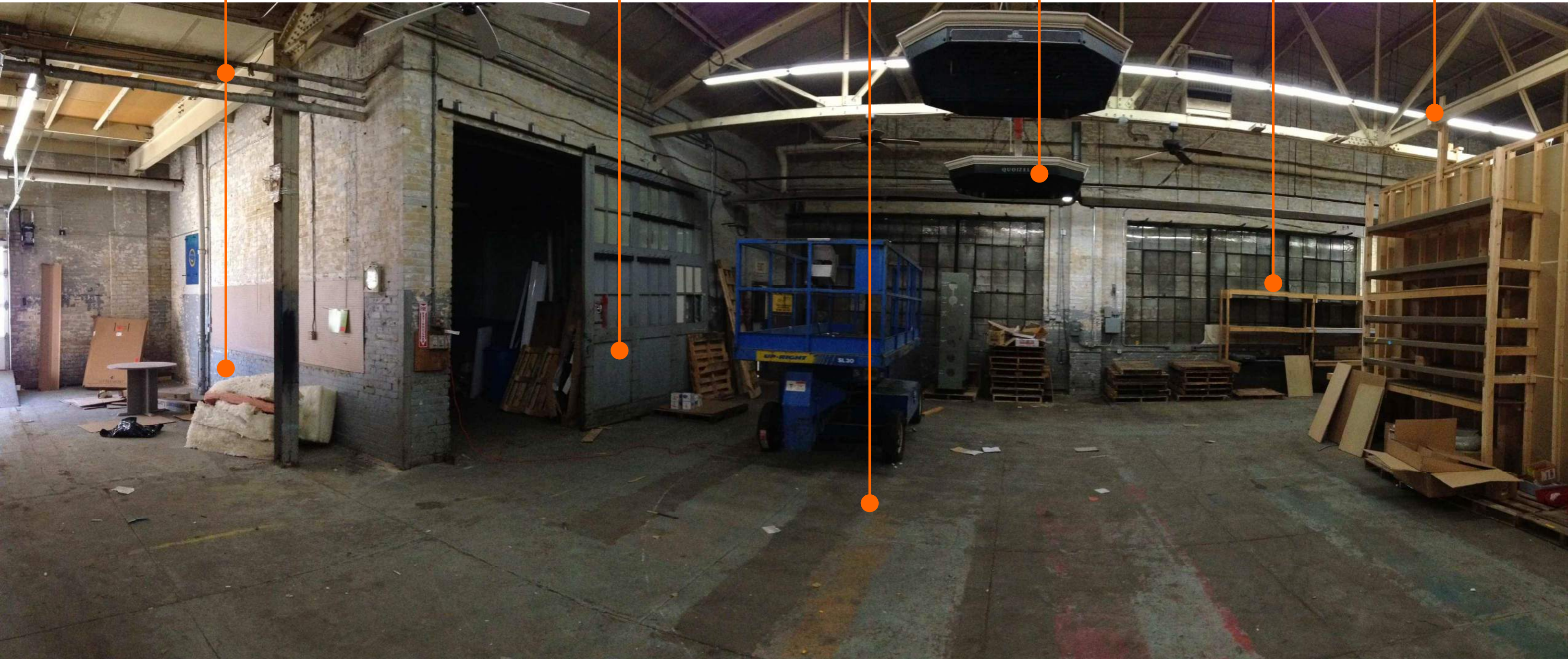
DOOR TO REMAIN

FLOORS  
CLEANED/PATCHED  
AS NECESSARY

LIGHT-FRAMED  
WALLS,  
SUSPENDED  
CEILING ELEMENTS  
REMOVED

ORIGINAL  
WINDOWS TO BE  
UNCOVERED

STRUCTURE  
REPAINTED



EXISTING PHOTO - WAREHOUSE



WALLS BEYOND  
REMOVED

WALLS REMOVED

WALLS REMOVED

ORIGINAL  
TERRAZZO  
UNCOVERED

SUSPENDED  
CEILING ELEMENTS  
REMOVED



EXISTING PHOTO - SHOWROOM

# Building Exterior Condition Assessment

## Condition of brick and other materials:

GENERALLY GOOD. THE WALL CAP HAS SOME DETERIORATION, WHICH WILL BE REPAIRED. THERE ARE SOME AREAS IN NEED OF TUCKPOINTING, AND JOINTS NEEDING TO BE SEALED. BOTH WILL BE REPAIRED.

## Condition of the roof:

ROOF IS IN NEED OF REPLACEMENT. ROOF WILL BE REPLACED OUTSIDE OF THIS PROJECTS SCOPE, ADDING INSULATION.

## Condition of the windows:

THERE ARE 7 ORIGINAL WINDOWS IN THE WAREHOUSE AREA CURRENTLY BLOCKED OVER IN GOOD SHAPE. BLOCK WILL BE REMOVED, NEW THERMALLY BROKEN STOREFRONT WILL BE INSTALLED OVER THE EXISTING, SHOWCASING THE ORIGINAL WINDOWS. PANES OF GLASS WILL BE REMOVED FROM THE EXISTING FRAMES TO ACHIEVE AIR FLOW.  
THE WINDOWS IN THE SHOWROOM PORTION ARE IN GOOD SHAPE. THE TRANSOM HAS BEEN REMOVED AND COVERED WITH METAL PANEL. THE EXISTING GLASS IS SINGLE PANE. THESE WILL BE REPLACED AT A DIFFERENT DATE WHEN BUDGET ALLOWS.

## Type of windows (single-pane, reflective, etc.)

SINGLE PANE, CLEAR.

## List the remaining elements from the original/historic design (if the building is historically significant)

BRICK, ORIGINAL WAREHOUSE WINDOWS.

## List the modified elements from the original/historic design (if the building is historically significant)

STOREFRONT WINDOWS ON EAST SIDE, OVERHEAD DOORS, PAINTED SILLS.

## Have any of the original windows been removed or covered up?

YES, WINDOWS ON THE EAST SIDE OF BUILDING REMOVED AND REPLACED WITH ALUMINUM STOREFRONT. ORIGINAL WINDOWS AT WAREHOUSE ARE BLOCKED OVER.

## Is there EIFS/Dry-Vit as an existing exterior building material?

NO,

## Has any of the brick been painted?

YES. THE SOUTH SIDE HAS A PORTION OF THE BRICK THAT HAS BEEN PAINTED. THE SILL HAVE BEEN PAINTED AS WELL.

## List any visible signs of blight.

THE PAINT ON THE SOUTH SIDE HAS SOME AREAS CHIPPING. BRICK HAS SOME AREAS NEEDING TUCKPOINTING. VARIOUS BOARDS, HARDWARE ON SOUTH SIDE REMAINS THOUGH NOT USED.



The second story facade is a red brick wall fairly-richly embellished by ornamental elements popular to turn-of-the century commercial architecture. Narrow brick pilasters frame the wall; each is adorned by long drops of recessed brick and recessed brick in a crucifix motif. A corbeled cornice with dentil band trims the roof line and visually supports a gabled parapet. A well-balanced tri-front window serves as the facade's primary focal point. Highly reminiscent of the Palladian motif, it features a large arch-topped opening flanked on each side by a smaller opening under a segmental-arch lintel. Thick brick posts between the openings are adorned by long drops of recessed brick and recessed brick in a crucifix motif, similar to the pilasters. A prominent keystone crowns the center arch. It, in turn, is adorned by a projecting cap of light tan corbeled brick and a decorative red and tan brick element that rises to the peak of the gabled parapet. Additional visual relief is provided by other details of light tan brickwork, including a continuous header sill at the windows, a projecting course of header brick outlining the top of the window arches and posts, two corbeled stringcourses underscoring the cornice, and short piers at each end of the parapet. The only major modification to the facade has been the installation of small casement units and infill at the tri-front window.

*32BL227: International Harvester Garage at 122 N. Mandan St.*

*Contributing*

The International Harvester Garage stands at the southwest corner of N. Mandan St. and E. Broadway Ave. The International Harvester Company of America applied for a permit from the City of Bismarck to build a "service station" at this location in 1928. Plans for the garage reportedly were prepared by the company. "Redling and Hanson" were to serve as the builders. City tax assessment records list that the garage was completed in 1929. International Harvester trucks were apparently sold and serviced at the garage until the late 1940s.

The building is made of reinforced concrete. Both street facades are finished by red brick walls. The N. Mandan facade (east elevation) serves as the building's primary retail facade. It is distinguished by a parapet that rises to a central pediment between low steps. Original finishing details of note include stone coping at the parapet and enameled porcelain panels at the foundation line. The storefront nearly fills the main wall. It has a central recessed entry between brick panels which, in turn, are flanked by several banks of original aluminum-sash display windows. Modern alterations to the storefront include the installation of an aluminum-sash glass replacement door and the placement of corrugated metal sheeting over the transom area.

The storefront includes one finished bay at the front (east) end of the E. Broadway facade (north elevation). This bay has concrete coping on the flat parapet wall, a bank of aluminum-sash display windows, and porcelain enamel panels at the foundation line. Window transoms have been covered by corrugated metal sheeting.



## *Community Development Department*

### **MEMORANDUM**

#### **CONTINUATION OF DOWNTOWN DESIGN REVIEW APPROVAL FOR ACTIVE LIFE CHIROPRACTIC**

TO: Curt Walth, Chair and Renaissance Zone Authority Members

FROM: Daniel Nairn, AICP

DATE: August 4, 2017

The Renaissance Zone Authority, during the July 8, 2017 meeting, continued review of the Downtown Design Review for 201 West Main Avenue Active Life Chiropractic rehabilitation project. The Renaissance Zone designation for this project was recommended for approval, subsequently approved by the City Commission, and has received tentative approval from the State Department of Commerce as of today. The Commission Renaissance Zone approval was conditional upon approval of Downtown Design Review.

The applicant and architect will attend the August 10, 2017 meeting to present alternative materials and discuss issues that were raised by the Renaissance Zone Authority. An engineered site plan for the property, including parking, pedestrian accommodations, and landscaping, has been created and will be provided to you prior to or at the meeting.

Please reference the agenda packet for the July 8 meeting for more details and renderings for this project.







## STAFF REPORT

City of Bismarck  
Community Development Department  
Planning Division

Agenda Item # 5

August 10, 2017

### Application for: Downtown Design Review

TRAKiT Project ID: DDR2017-013

#### Project Summary

Title:	Guaranteed Rate Signs
Status:	Renaissance Zone Authority
Owner(s):	Thomas O'Brien
Project Contact:	Scott Bina, Mann Signs
Location:	311 North Washington Street
Request:	Approve for a new awning sign and panel for monument sign



#### Staff Analysis

The applicant is requesting Downtown Design Review approval of two signs installed at the property of 311 North Washington Street. One sign is a new awning on the south side of the building, and the other is a new panel on an existing monument sign.

The sign meets all requirements of Title 4-04-09 pertaining to signs in the downtown. The sign ordinance was approved by the Bismarck City Commission in a public hearing on July 25, 2017 and is now in effect.

The new awning is located in a window recess, has a color that general conforms to the design of the building. The ordinance does "discourage" the use of the sloped portion of the awning for a sign. However, staff does not have concerns about this application in this location.

Monument signs are now formally allowed by ordinance in the downtown, and the current monument sign conforms to all requirements.

#### Required Findings of Fact

1. The proposed design conforms to Sections 4-04-09, 14-04-21.1, and 14-04-21.2 of the

Bismarck Code of Ordinances, relating to Design Standards within the DC – Downtown Core and DF – Downtown Fringe zoning districts.

2. The proposed design generally conforms to the purpose and intent of the 2015 Downtown Design Guidelines, and other relevant plans and policies.

#### Staff Recommendation

Based on the above findings, staff recommends approval of the proposed sign designs as presented in all submitted documents and materials, with the condition that any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

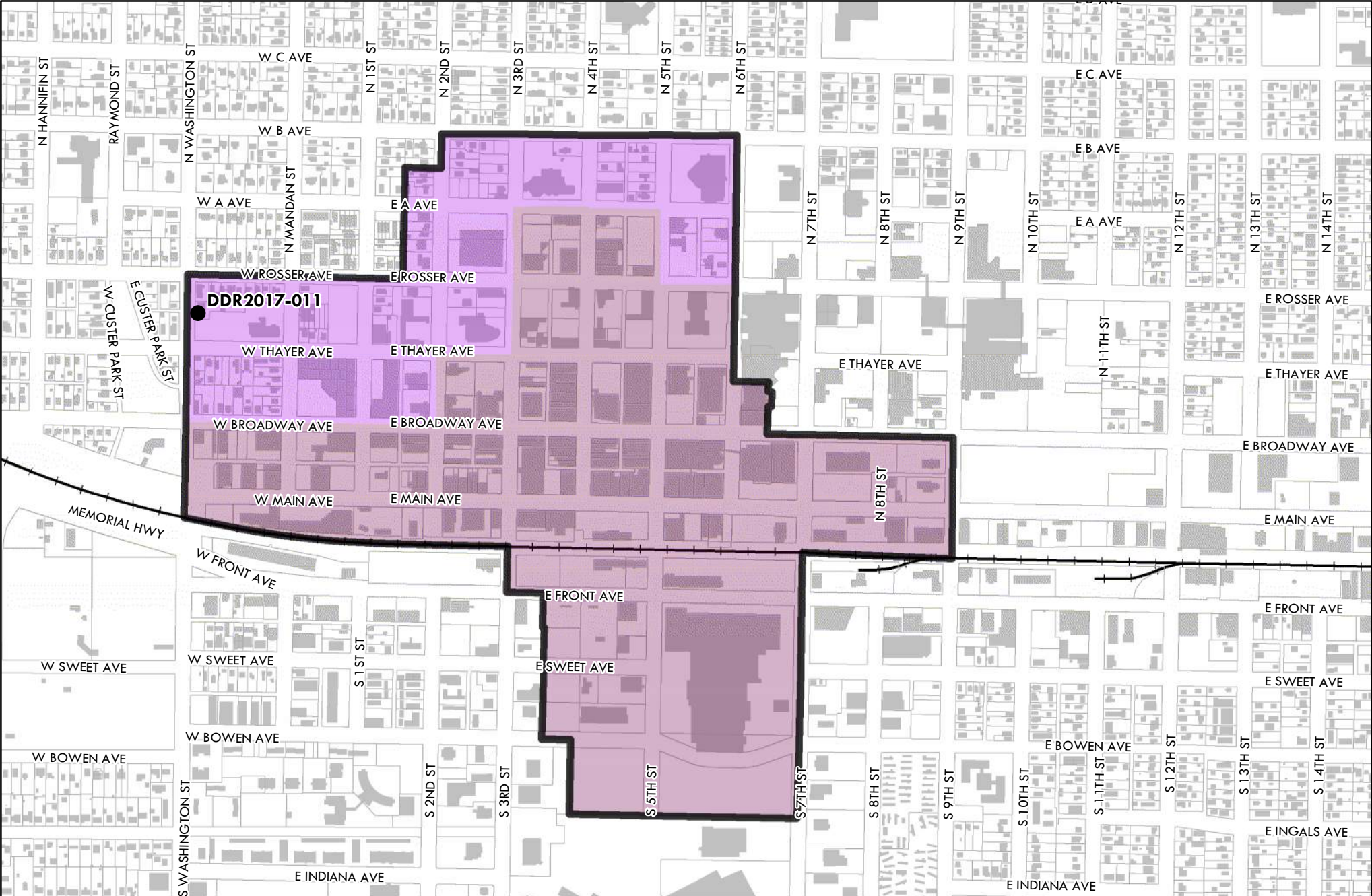
#### Attachments

1. Location Map
2. Submitted design documents

---

*Staff report prepared by:* Daniel Nairn, AICP, Planner  
701-355-1845 | [dnairn@bismarcknd.gov](mailto:dnairn@bismarcknd.gov)

### Downtown Design Review - Project Location Map



**City of Bismarck**  
**Community Development Department- Planning Division**

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

0 250 500 1,000 Feet  
**August 3, 2017**

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



**August 3, 2017**





\*RED - PANTONE 1797C  
\*BLACK - FERRARI AWNING  
MATERIAL



**mann**  
SIGNS, INC

1507 Continental Ave  
Bismarck, ND 58504  
701-355-1111  
www.mannsignsinc.com

**CLIENT:**

**GUARANTEED RATE**

**APPROVAL:**

**X**

DUE TO VARIATIONS IN OUTPUT  
DEVICES, THE COLORS SHOWN  
HERE MAY NOT REFLECT  
ACTUAL COLORS.

THE CONCEPTS REPRESENTED IN  
THIS ARTWORK ARE THE PROPERTY  
OF MANN SIGNS, INC. AND  
MAY NOT BE USED IN WHOLE  
OR PART WITHOUT WRITTEN  
CONSENT FROM MANN SIGNS, INC.



ENGINEERING

← **ENTRANCE**

guaranteed **Rate**®

11"  
8"

43"

47"

\*RED - PANTONE 1797C  
\*BLACK - PANTONE 426C



**mann**  
**SIGNS, INC**

1507 Continental Ave  
bismarck, nd 58504  
**701-355-1111**  
www.mannsignsinc.com

**CLIENT:**

**GUARANTEED RATE**

**APPROVAL:**

**X**

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## *Community Development Department*

### **MEMORANDUM**

#### **RENAISSANCE ZONE AUTHORITY PUBLIC HEARING PROCEDURES AND BYLAWS**

TO: Curt Walth, Chair and Renaissance Zone Authority Members

FROM: Daniel Nairn, AICP

DATE: August 3, 2017

The Renaissance Zone Authority does not currently have any written public hearing procedures or organizational bylaws. Staff would like to submit two documents for your consideration.

The first documents is a one-page set of public hearing procedures adapted from procedures recently adopted by the Planning and Zoning Commission. The procedures include responsibilities for the Renaissance Zone Authority, staff, and any member of the public addressing the Authority during a public hearing. In the case of the Planning and Zoning Commission, the procedures page will be included in all agenda packets as a reference for the public. You may choose to adopt these procedures as is, decline to adopt any procedures, or offer revisions for staff to return with the following meeting.

The second document is the current bylaws for the Board of Adjustment that were approved in 2016. The bylaws dictate the terms of service, responsibilities of chair and vice-chair, standards of ethical and professional conduct, meeting scheduling and organization, as well as the legally authorized power of the Renaissance Zone Authority. You may consider adopting separate bylaws for the Downtown Design Review Committee or combining the Renaissance Zone Authority and Downtown Design Review Committee into the same bylaws. If you choose to move forward with creating bylaws, I can adapt the example provided to align with your specific role.

Enclosed: *Suggested Public Hearing Procedures Document*  
*Example of Bylaws for Board of Adjustments*



## **BISMARCK RENAISSANCE ZONE AUTHORITY PUBLIC HEARING PROCEDURE AND PROTOCOL**

All public hearings before the Bismarck Renaissance Zone Authority will follow the same basic format. This outline has been prepared to help you understand the procedure and protocol.

1. The Chair of the Renaissance Zone Authority will introduce the item on the agenda and ask staff to present the staff report.
2. City staff will present the report on the item. The presentation will be an overview of the written staff report included in the agenda packet, which is typically posted on the City's website by the end of the day on the Friday before the meeting.
3. The members of the Renaissance Zone Authority may ask staff questions about the request itself or staff's recommendation, but they will not discuss the request prior to obtaining input from the public.
4. The Chair of the Renaissance Zone Authority will then open the public hearing on the request and ask if anyone would like to speak to the Authority.
5. The applicant or his or her designated agent is usually given the courtesy of speaking first to outline the proposal and/or clarify any information presented by staff. The applicant may speak at this time or wait until others have spoken.
6. The public hearing is then opened to the public to voice their support, opposition or to ask questions about the proposal. Please write your name and address on the sign-in sheet, speak clearly, state both your first and last names and your address, then your comments. Your comments as well as any materials distributed to the Renaissance Zone Authority at this time will be made part of the public record. If you would prefer to provide written materials to staff at the beginning of the meeting, we will distribute the materials to the Authority for you.
7. Please be respectful of the Renaissance Zone Authority members, staff and others speaking on the request. Personal attacks against the applicant or others, clapping/cheering or booing speakers is not acceptable. Staff and the applicant will only respond to questions from the Renaissance Zone Authority, not questions directly from those speaking at the public hearing.
8. Everyone who wishes to speak will be given a chance to speak; however, at larger public hearings, the Chair may ask speakers to limit their time to five minutes, not repeat previous testimony/comments and only speak once. Members of the Renaissance Zone Authority may ask questions of those speaking, but may also listen and deliberate after the hearing is closed.
9. After everyone in the audience wishing to speak has given his or her comments, the Chair will close the public hearing portion of the meeting. No additional comments from the public are allowed after the hearing has been closed. At this point, the Chair will ask staff if they have any additional information or final comments.
10. The Renaissance Zone Authority members will then discuss the proposal. They may ask staff or the applicant additional questions or for clarification of items stated during the public hearing. At the conclusion of the discussion, the Authority will make its recommendation or decision.

# **Bylaws of the City of Bismarck Board of Adjustment**

## **Article I. Authorization**

A. Authority. The Board of Adjustment is established pursuant to Chapter 14-06 of the City of Bismarck Code of Ordinances (Title 14) and pursuant to provisions in the North Dakota Century Code (NDCC) Chapter 40-47.

## **Article II. Purpose**

A. Purpose. The purpose of the Board of Adjustment is to promote the health, safety and general welfare of the citizens of the City of Bismarck and its extraterritorial jurisdictional boundary by hearing and deciding appeals of orders, requirements, and decisions or determinations of an administrative official when appropriate to Title 14.

## **Article III. Membership and Organization**

A. Membership. The Board of Adjustment shall consist of six (6) members, each to be appointed by the Board of City Commissioners for a term of three (3) years. (*Title 14*)

B. Organization. The organization of the Board of Adjustment will consist of a chairperson and vice-chairperson who shall be selected by the membership and who shall serve at the pleasure of the membership for one year. Nominations and election of officers shall be taken from the floor at the Board of Adjustment's first meeting of the year. In the event that an officer is unable to complete the specified term, a special election shall be held for the completion of the term.

The chairperson shall preside at all Board of Adjustment meetings and review agendas with staff.

The vice-chairperson shall conduct all business delegated by the chairperson, in his or her absence.

## **Article IV. Conduct of Members and Ethics**

A. General Conduct. Members of the Board of Adjustment shall make every effort to attend all meetings and shall make every effort to represent the interests of all of the citizens of the City of Bismarck and its extraterritorial jurisdictional boundary in a fair and impartial manner.

B. Conflict of Interest. Any member of the Board of Adjustment who has a direct and substantial personal or pecuniary (financial) interest in a matter before the Board must disclose the fact to the Board and may not participate or vote on that particular matter without the consent of a majority of the rest of the Board.

C. Removal of Members. The Board of Adjustment may recommend that the Board of City Commissioners remove any member of the Board if that member has failed to attend three (3) consecutive regular meetings of the Board of Adjustment or has failed to attend seven (7) regular meetings within one calendar year. The Board of City Commissioners shall make judgment on such matters after receiving a report from the chairperson of the Board of Adjustment.



D. Ex-parte Communication. Ex-parte communication includes any oral or written communication between a member of the Board and any other person interested in an item before or scheduled to be before the Board. Communications on a particular item sent to the Board after the agenda packet has been sent via email or mail may be distributed and announced at the Board of Adjustment meeting. Board of Adjustment members shall comply with applicable City and State open meeting requirements.

## **Article V. Powers and Duties of the Board**

A. Powers and Duties of the Board. The Board of Adjustment shall have all of the powers and duties confirmed by Chapter 14-06 of Title 14 of the City Code of Ordinances and Chapter 40-47 of the NDCC. These powers and duties include, but are not limited to:

1. Interpretation. The Board of Adjustment shall decide any question involving the interpretation of any provision of Title 14. *(Title 14)*
2. Variances. The Board of Adjustment may vary or adjust the strict application of any of the requirements of Title 14. The Board of Adjustment shall prescribe any conditions to the approval of a variance necessary or desirable to carry out the general purposes of the article or preserve the neighborhood or general welfare from injury. *(Title 14)*
3. Parking Determination. The Board of Adjustment shall determine off-street parking and off-street loading in unique situations for any use not specifically mentioned in Title 14, Section 14-03-10(4). *(Title 14)*

## **Article VI. Appeals to the Board**

A. Appeal – How Taken. An appeal to the Board of Adjustment may be taken by any aggrieved applicant, including any person, firm, or corporation aggrieved, or by any governmental officer, department, board, or bureau affected by any decision of the Zoning Administrator based in whole or in part upon the provisions of Title 14. Any party may appear at the hearing in person or by agent or by attorney. *(Title 14)*

B. Appeal – Procedure. The Board of Adjustment shall fix a reasonable time for the hearing of an appeal or for action on any matter upon which it is required to pass under Title 14 of the City Code of Ordinances and give due notice thereof to interested parties, and make all decisions within a reasonable time. *(Title 14)*

The concurring vote of four (4) members of the board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator or other official, or to decide in favor of the applicant any matter or to effect any variation from Title 14. *(Title 14)*

C. Appeal to the Board of City Commissioners. A decision of the Board of Adjustment may be appealed to the Board of City Commissioners by either the aggrieved applicant or by any officer, department, board, or bureau of the City by filing, within fifteen (15) calendar days after notice of the decision, with the office of the City Administrator or the Community Development Department. *(Title 14)*

The Board of city Commissioners shall fix a time, within thirty (30) days, for the hearing of the appeal and shall give due notice of the hearing to the parties.

## **Article VII. Findings of Fact**

A. Findings of Fact. In accordance with Chapter 14-06 of Title 14, no adjustment or variance in the strict application of any provisions of Title 14 shall be granted by the Board of Adjustment unless it finds the following:

1. That there are special circumstances or conditions, fully described in the findings of the board, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or building, and do not apply generally to land or buildings in the neighborhood, and have not resulted from any act the applicant has taken.
2. That, for reasons fully set forth in the findings of the Board, the circumstances or conditions so found are such that the strict application of the provisions of Title 14 would deprive the applicant of the reasonable use of said land or building, and the granting of the variances is necessary for the reasonable use of the land or building, and that the variance as granted by the Board of Adjustment is the minimum variance that will accomplish the relief sought by the applicant.
3. That the granting of the variance will be in harmony with the general purposes and intent of Title 14, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

## **Article VIII. Lapse**

A. Lapse. A variance granted must be put into use within twenty-four (24) months of the granting of the variance or it shall lapse and the landowner or their agent must re-apply.

## **Article IX. Meetings**

A. Meetings. The Board of Adjustment's regular meeting time shall be 5:00pm on the first Thursday of each month in the Tom Baker Meeting Room in the City-County Building and open to the general public. Special meetings can be held at any time and may be called by the chairperson.

B. Meeting Notice. Notice of the time and place of a hearing shall be sent to the applicant or their agent after a complete application is submitted to staff for action by the Board of Adjustment. Notice of the time, place and request of the Board of Adjustment shall be sent to all known adjacent property owners no later than ten (10) days prior to the Board of Adjustment meeting unless specifically approved by the chairperson of the Board.

C. Participation. A Board member may join the meeting by telephone and be included in the determination of a quorum, and discussion and voting on all agenda items.

D. Meeting Rules. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings of the Board of Adjustment.

E. Meeting Documents. All notices, agendas, requests, letters, reports, maps, photographs, staff reports, minutes and other related items shall constitute the documents of the Board of Adjustment and shall be maintained in the Community Development Department.

#### **Article X. Staff Responsibilities**

A. Staff Responsibilities. The Bismarck Community Development Department will provide administrative and technical support to the Board of Adjustment.

#### **Article XI. Amendment of Bylaws**

A. Amendments. These Bylaws may be amended at any regular meeting of the Board of Adjustment, provided that the proposed amendment has been introduced in writing at least seventeen (17) days prior to a regular meeting of the Board. Amendment of the Bylaws shall require the affirmative vote of at least four (4) members of the Board.

Adopted this seventh day of January, 2016

Board of Adjustment

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Chairman

## BISMARCK RENAISSANCE ZONE PROGRAM - PROJECT STATUS

TRAKIT ID	State ID	Applicant	Street Address	Project Type	Status	RZA Hearing	Commission Review	State Approval	Beginning Building Market Value	Proposed Investment	Estimated Building Value w/Investment	Estimated Property Tax Benefit	Estimated State Income Tax Benefit	Income Tax Benefit Per Year	Completion Date	Actual Investment
001-B		George T. Duemeland Revocable Trust	301 East Thayer Avenue	Purchase w/ Major	Completed	12/10/02	12/17/02	01/02/03	\$77,000	\$44,366	\$150,000	\$18,095	\$5,650	\$1,130	12/01/03	\$66,397
002-B		Dakota Building Partnership	501 East Main Avenue	Purchase - Land	Completed	01/06/03	01/07/03	02/26/03	\$444,200	\$300,000	\$540,000	\$32,023	\$7,500	\$1,500	01/31/07	\$284,195
003-B		Civic Square Development LLC	521 East Main Avenue	Purchase w/ Major	Completed	02/07/03	02/11/03	04/21/03	\$500	\$600,000	\$500,000	\$61,000	\$2,500	\$500	12/31/07	\$618,111
004-B		Duemelands Commercial LLP	301 East Thayer Avenue	Lease	Completed	07/14/03	07/22/03	09/25/03	N/A	N/A	N/A	N/A	\$609	\$122	12/01/03	N/A
005-B		John & Barbara Grinstead	200 North Mandan Street	Purchase	Completed	10/07/03	10/14/03	10/16/03	\$43,300	\$5,000	\$77,500	\$5,550	\$2,000	\$400	10/17/03	N/A
006-B		Woodmansee's	114 North 4th Street	Historic Rehabilitation	Completed	10/30/03	11/15/03	11/21/03	\$49,900	\$125,000	\$120,000	\$15,500	\$25,000	\$5,000	01/26/05	\$129,333
007-B		Bertsch Properties LLC	207 East Front Avenue	Rehabilitation	Completed	11/19/03	11/25/03	12/03/03	\$371,200	\$601,600	\$1,455,000	\$186,375	\$8,200	\$1,640	01/19/05	\$734,707
008-B		Northland Financial	207 East Front Avenue	Lease	Completed	11/19/03	11/25/03	12/03/03	N/A	N/A	N/A	N/A	\$116,000	\$23,200	09/16/04	N/A
009-B		Bertsch Properties LLC	218 South 3rd Street	Rehabilitation	Completed	11/19/03	11/25/03	12/03/03	\$142,300	\$329,150	\$840,000	\$107,600	\$3,000	\$600	01/20/05	\$378,013
010-B		Lee Enterprises Inc.	707 East Front Avenue	Rehabilitation	Completed	12/15/03	12/16/03	12/29/03	\$2,508,200	\$2,256,624	\$4,408,200	\$550,000	\$1,248,000	\$249,600	10/26/05	\$2,400,776
011-B		PJCM Partners, LLP	901/907 East Front Avenue	Rehabilitation	Completed	03/03/04	03/23/04	03/29/04	\$151,300	\$298,840	\$420,000	\$52,795	\$2,700	\$540	06/30/05	\$409,846
012-B		Mark Garner	302 East Thayer Avenue	Rehabilitation	Completed	05/25/04	05/25/04	06/04/04	\$49,900	\$85,000	\$125,000	\$15,715	\$4,700	\$940	12/06/05	\$103,455
013-B		AW Enterprises	216 North 2nd Street	Rehabilitation	Completed	08/10/04	08/10/04	08/18/04	\$173,500	\$208,814	\$275,000	\$34,573	\$12,500	\$2,500	06/22/05	\$263,473
014-B		Daryl Rosenau & Clarence Saylor	225 West Broadway Avenue	Purchase	Completed	02/07/05	02/08/05	02/16/05	\$176,000	\$69,550	\$182,500	\$21,470	\$1,750	\$350	12/26/07	\$70,002
015-B		J & L Development, Inc.	324 North 3rd Street	Rehabilitation	Completed	11/15/04	12/14/04	02/16/05	\$500,000	\$750,000	\$900,000	\$113,500	\$15,000	\$3,000	09/15/06	\$698,396
016-B		Pirague Grille, Inc.	121 North 4th Street	Lease	Completed	03/02/05	03/08/05	03/22/05	N/A	\$128,000	N/A	N/A	\$3,500	\$700	08/24/05	N/A
017-B		Zorells Jewelry Inc.	221 South 9th Street	New Construction	Completed	09/20/04	03/08/05	03/22/05	\$20,100	\$200,000	\$200,000	\$25,000	\$4,000	\$800	07/30/05	\$191,898
019-B		CCC Properties, LLP	310 South 5th Street	Purchase	Completed	08/25/05	09/13/05	09/21/05	\$410,400	\$168,000	\$450,000	\$58,500	\$10,500	\$2,100	07/01/06	\$298,372
020-B		American Bank Center	320 North 4th Street	Rehabilitation	Completed	09/21/05	09/27/05	10/04/05	\$809,500	\$3,100,000	\$2,000,000	\$258,760	\$250,000	\$50,000	08/01/09	\$2,301,478
021-B		Foot Care Associates PC	310 South 5th Street	Lease	Completed	01/12/06	01/24/06	02/03/05	N/A	N/A	N/A	N/A	\$1,000	\$200	04/01/06	N/A
022-B		Dentyne, Inc. (Bakke & Roller)	310 South 5th Street	Lease	Completed	01/12/06	01/24/06	02/03/05	N/A	N/A	N/A	N/A	\$10,500	\$2,100	03/13/06	N/A
023-B		Duemelands Properties, LLP	302 South 3rd Street	Purchase	Completed	01/12/06	02/14/06	02/16/06	\$312,700	\$190,900	\$345,000	\$44,840	\$4,500	\$900	12/01/06	\$227,295
024-B		Duemelands Properties, LLP	312 South 3rd Street	New Construction	Completed	01/12/06	02/14/06	02/16/06	N/A	\$215,223	\$250,000	\$32,500	\$4,100	\$820	12/01/06	\$233,855
025-B		Makoché Media, LLC	208 North 4th Street	Purchase	Completed	01/12/06	02/14/06	02/16/06	\$247,000	\$71,612	\$320,000	\$41,600	\$1,000	\$200	12/27/07	\$91,672
026-B		River Q, LLC	312 South 3rd Street	Lease	Completed	04/13/06	04/25/06	05/05/06	N/A	N/A	N/A	N/A	\$25,000	\$5,000	12/04/06	N/A
027-B		Gem Group LLC	412 East Main Avenue	Rehabilitation	Completed	05/23/06	05/23/06	05/30/06	\$47,800	\$40,000	\$75,000	\$5,990	\$6,500	\$1,300	10/20/06	\$50,292
028-B		Heartland Mortgage Company	412 East Main Avenue	Lease	Completed	05/23/06	05/23/06	05/30/06	N/A	N/A	N/A	N/A	\$10,500	\$2,100	07/01/06	N/A
029-B		Bismarck MSA dba Verizon Wireless	302 South 3rd Street	Lease	Completed	07/24/06	07/25/06	08/02/06	N/A	\$100,000	N/A	N/A	\$172,000	\$34,400	09/14/06	N/A
030-B		Main Avenue Properties, LLC	122 East Main Avenue	New Construction	Completed	10/09/06	10/10/06	12/05/06	N/A	\$3,020,590	\$3,200,000	\$370,000	\$15,000	\$3,000	12/17/07	\$2,370,152
031-B		Dakota Office Building, LLC	300 North 4th Street	Purchase	Completed	02/05/07	02/13/07	02/20/07	\$1,095,900	\$250,000	\$1,400,000	\$60,000	\$25,000	\$5,000	01/30/08	\$407,003
032-B		American Legal Services PC	521 East Main Avenue	Lease	Completed	04/02/07	04/10/07	04/19/07	N/A	N/A	N/A	N/A	\$10,000	\$2,000	08/01/07	N/A
033-B		Internet Design & Consulting	521 East Main Avenue	Lease	Completed	04/02/07	04/10/07	04/24/07	N/A	N/A	N/A	N/A	\$10,000	\$2,000	08/01/07	N/A
034-B		Larson Latham Heutle LLP	521 East Main Avenue	Lease	Completed	05/14/07	05/22/07	06/08/07	N/A	N/A	N/A	N/A	\$60,000	\$12,000	07/01/07	N/A
035-B		Retirement Consulting LLC	521 East Main Avenue	Lease	Completed	05/14/07	05/22/07	06/08/07	N/A	N/A	N/A	N/A	\$12,500	\$2,500	07/01/07	N/A
036-B		Jason Kirchmeier & Associates	501 East Main Avenue	Lease	Completed	06/20/07	06/26/07	07/11/07	N/A	N/A	N/A	N/A	\$30,000	\$6,000	08/01/07	N/A
037-B		Roger Koski & Associates	501 East Main Avenue	Lease	Completed	06/20/07	06/26/07	07/11/07	N/A	N/A	N/A	N/A	\$30,000	\$6,000	08/01/07	N/A
038-B		Melvie Financial Planning	501 East Main Avenue	Lease	Completed	06/20/07	06/26/07	07/11/07	N/A	N/A	N/A	N/A	\$35,000	\$7,000	08/01/07	N/A
039-B		Westgard Financial Services	501 East Main Avenue	Lease	Completed	06/20/07	06/26/07	07/11/07	N/A	N/A	N/A	N/A	\$30,000	\$6,000	08/01/07	N/A
040-B		Rainmaker Gusto Ventures, LLC	116 North 5th Street	Purchase w/ Major	Completed	09/04/07	09/11/07	10/30/07	\$166,800	\$137,500	\$300,000	\$21,000	\$5,400	\$1,080	05/21/08	\$142,050
041-B		The Rainmaker Group, Inc.	116 North 5th Street	Lease	Completed	11/14/07	12/18/07	12/27/07	N/A	N/A	N/A	N/A	\$530,000	\$106,000	06/12/08	N/A
044-B		Rick & Theresa Keimele	413 East Broadway Avenue	Rehabilitation	Completed	11/14/07	12/18/07	01/11/08	\$184,400	\$136,836	\$263,500	\$28,000	\$28,000	\$5,600	10/01/08	\$176,955
045-B		Centennial Plaza, LLC	116 North 4th Street	Purchase	Completed	12/05/07	12/18/07	01/22/08	\$803,100	\$238,000	\$1,047,600	\$25,000	\$25,000	\$5,000	01/29/09	\$167,894
046-B		Westley's Inc.	423 East Broadway Avenue	Lease	Completed	02/21/08	03/11/08	03/19/08	N/A	N/A	N/A	N/A	\$28,000	\$5,600	07/14/08	N/A
047-B		Depot Associates	401 East Main Avenue	Rehabilitation	Completed	04/18/08	05/13/08	05/28/08	\$372,300	\$200,000	\$600,000	\$50,000	\$5,000	\$1,000	07/01/09	\$243,344
048-B		FV Restaurant, Inc.	401/411 East Main Avenue	Lease	Completed	04/18/08	05/13/08	05/28/08	N/A	N/A	N/A	N/A	\$150,000	\$30,000	06/27/08	N/A
049-B		T. Casey Cashman	523 North 1st Street	Rehabilitation	Completed	05/12/08	05/27/08	06/12/08	\$103,100	\$25,000	\$130,000	\$10,000	\$5,000	\$1,000	12/15/08	\$23,375
050-B		Starion Financial	333 North 4th Street	Rehabilitation	Completed	05/12/08	05/27/08	06/12/08	\$1,154,600	\$2,500,000	\$2,654,600	\$270,000	\$550,000	\$110,000	12/01/09	\$3,193,260
052-B		Mark Benesh & Associates/Prudential	521 East Main Avenue	Lease	Completed	10/08/08	10/22/08	11/04/08	N/A	N/A	N/A	N/A	\$15,000	\$3,000	04/01/09	N/A
053-B		CIG Investments, LLP	408 East Main Avenue	Rehabilitation	Completed	03/11/09	03/24/09	04/21/09	\$80,700	\$258,720	\$420,000	\$22,030	\$20,975	\$4,195	10/21/09	\$199,620
054-B		RC Properties, LLP	800 East Sweet Avenue	Rehab/New Const.	Completed	05/13/09	05/26/09	06/03/09	\$576,100	\$2,145,500	\$1,900,000	\$68,000	\$485,000	\$97,000	01/20/11	\$1,335,670
055-B		Blarney Stone Pub, LLC	408 East Main Avenue	Lease	Completed	06/10/09	06/23/09	07/07/09	N/A	N/A	N/A	N/A	\$30,000	\$6,000	10/01/09	N/A
056-B		Cavallier Homes, Inc.	408 East Main Avenue	Lease	Completed	06/10/09	06/23/09	07/07/09	N/A	N/A	N/A	N/A	\$153,665	\$30,733	10/15/09	N/A
057-B		Jim Poolman Consulting, Inc.	408 East Main Avenue	Lease	Completed	06/10/09	06/23/09	07/07/09	N/A	N/A	N/A	N/A	\$50,000	\$10,000	09/05/09	N/A
058-B		TFRE, LLC	120/124 North 4th Street	Purchase w/ Major	Completed	06/10/09	06/23/09	06/25/09	\$231,100	\$245,284	\$350,000	\$30,000	\$15,000	\$3,000	11/01/10	\$246,603
060-B		SRSSM Partnership	122 East Broadway Avenue	Purchase w/ Major	Completed	10/14/09	10/27/09	11/25/09	\$437,680	\$727,000	\$843,500	\$54,080	\$84,500	\$168,700	06/17/10	\$620,109
061-B		Sheldon A. Smith, P.C.	123 East Broadway Avenue	Lease	Completed	11/12/09	11/24/09	12/03/09	N/A	N/A	N/A	N/A	\$192,500	\$38,500	06/21/10	N/A
062-B		Randall J. Bakke, P.C.	124 East Broadway Avenue	Lease	Completed	11/12/09	11/24/09	12/03/09	N/A	N/A	N/A	N/A	\$192,500	\$38,500	06/21/10	N/A
063-B		Scott K. Porsborg, P.C.	125 East Broadway Avenue	Lease	Completed	11/12/09	11/24/09	12/03/09	N/A	N/A	N/A	N/A	\$192,500	\$38,500	06/21/10	N/A
064-B		Mitchell D. Armstrong, P.C.	126 East Broadway Avenue	Lease	Completed	11/12/09	11/24/09	12/03/09	N/A	N/A	N/A	N/A	\$192,500	\$38,500	06/21/10	N/A
065-B		Suzanne M. Schweigert, P.C.	122 East Broadway Avenue	Lease	Completed	11/12/09	11/24/09	12/03/09	N/A	N/A	N/A	N/A	\$192,500	\$38,500	07/01/10	N/A
066-B		Krantzler Kingsley Communications, LTD	501 East Main Avenue	Lease	Completed	12/09/09	12/22/09	01/10/10	N/A	\$180,000	N/A	N/A	\$17,000	\$3,400	07/16/10	\$295,896
067-B		IRET Properties, LP	715 East Broadway Avenue	Rehabilitation	Completed	12/09/09	12/22/09	01/10/10	\$1,251,000	\$1,136,650	\$1,818,000	\$125,287	\$0	\$0	09/08/10	\$837,783
068-B		J & J Smith Property Management, LLC	115 North 4th Street	Purchase w/ Major	Completed	01/13/10	01/26/10	02/12/10	\$294,400	\$120,000	\$437,000	\$25,000	\$2,500	\$500	10/25/10	\$161,746
069-B		Jimmy John's	301 South 3rd Street	Lease	Completed	02/10/10	02/23/10	03/02/10	N/A	\$75,000	N/A	N/A	\$8,000	\$1,600	07/13/10	\$140,000
070-B		J2 Studio Architecture + Design	521 East Main Avenue	Lease	Completed	02/10/10	02/23/10	03/02/10	N/A	N/A	N/A	N/A	\$8,000	\$1,600	03/11/10	N/A
071-B		JS Bridal, LLC	115 North 4th Street	Lease	Completed	06/09/10	06/22/10	07/02/10	N/A	N/A	N/A	N/A	\$4,000	\$800	11/01/10	N/A
072-B		Toasted Frog West, LLC	124 North 4th Street	Lease	Completed	10/19/10	10/26/10	11/10/10	N/A	N/A	N/A	N/A	\$12,000	\$2,400	12/01/10	N/A
073-B		A.L. Brend, DDS	207 East Front Avenue	Lease	Completed	10/13/10	10/26/10	11/10/10	N/A	\$300,000	N/A	N/A	\$55,000	\$11,000	10/24/11	N/A
074-B		Magi-Touch Carpet & Furniture, Inc	800 East Sweet Avenue	Lease	Completed	10/19/10	10/26/10	11/10/10	N/A	N/A	N/A	N/A	\$106,000	\$21,200	02/01/11	N/A
075-B		American Bank Center	401 North 4th Street	New Construction	Completed	10/19/10	10/26/10	11/10/10	N/A	\$3,500,000	\$3,500,000	\$15,500	\$15,000	\$3,000	10/15/12	\$3,046,296
076-B		Spaces, Inc.	122 East Main Avenue	Lease	Completed	01/12/11	01/25/11	02/07/11	N/A	\$60,000	N/A	N/A	\$7,500	\$1,500	02/21/11	

## BISMARCK RENAISSANCE ZONE PROGRAM - PROJECT STATUS

TRAKIT ID	State ID	Applicant	Street Address	Project Type	Status	RZA Hearing	Commission Review	State Approval	Beginning Building Market Value	Proposed Investment	Estimated Building Value w/Investment	Estimated Property Tax Benefit	Estimated State Income Tax Benefit	Income Tax Benefit Per Year	Completion Date	Actual Investment
	086-B	Pine Investment Compay, LLC	100 West Broadway Avenue	Lease	Completed	02/21/12	03/27/12	05/14/12	N/A	N/A	N/A	N/A	\$331,020	\$70,204	07/31/14	N/A
	087-B	Pine Enterprises, LLC	100 West Broadway Avenue	Lease	Completed	02/21/12	03/27/12	05/14/12	N/A	N/A	N/A	N/A	\$0	\$0	07/31/14	N/A
	088-B	Pine Petroleum, Inc.	100 West Broadway Avenue	Lease	Completed	02/21/12	03/27/12	05/14/12	N/A	N/A	N/A	N/A	\$509,880	\$101,976	07/31/14	N/A
	089-B	Pine Oil Company	100 West Broadway Avenue	Lease	Completed	02/21/12	03/27/12	05/14/12	N/A	N/A	N/A	N/A	\$16,485	\$3,297	07/31/14	N/A
	090-B	Kenneth Clark and Dave Clark	106 East Thayer Avenue	Rehabilitation	Completed	07/17/12	07/24/12	07/26/12	\$117,800	\$89,000	\$197,000	\$24,430	\$600	\$120	02/07/13	\$95,402
	091-B	Bread Poets Baking Company, LLC	106 East Thayer Avenue	Lease	Completed	07/17/12	07/24/12	07/26/12	N/A	N/A	N/A	N/A	\$12,400	\$2,480	02/07/13	N/A
	092-B	Obermiller Nelson Engineering	116 North 5th Street	Lease	Completed	08/21/12	08/28/12	08/29/12	N/A	N/A	N/A	N/A	\$10,000	\$2,000	09/01/12	N/A
	094-B	Redland, LLC	401 East Broadway Avenue	Rehabilitation	Approved	11/20/12	11/27/12	12/21/12	\$96,300	\$1,400,000	\$1,200,000	\$110,940	\$45,000	\$9,000	Pending	Pending
	095-B	Hump Back Sally's, LLC	510 East Main Avenue	Lease	Completed	11/20/12	11/27/12	01/09/13	N/A	N/A	N/A	N/A	\$45,000	\$9,000	01/01/15	N/A
	096-B	Foast Lovida, LLC	510 East Main Avenue	Lease	Completed	01/15/13	01/22/13	02/21/13	N/A	N/A	N/A	N/A	\$96,000	\$19,200	09/01/13	N/A
	097-B	J&G, Inc dba Red Wing Shoes	529 East Broadway Avenue	Lease	Completed	06/18/13	06/25/13	06/27/13	N/A	N/A	N/A	N/A	\$40,000	\$8,000	10/01/13	\$73,514
	098-B	Skjansby Unlimited, Inc.	222 West Broadway Avenue	Rehabilitation	Completed	06/18/13	06/25/13	06/27/13	\$41,300	\$72,421	\$90,000	\$5,500	\$2,940	\$588	12/20/13	\$93,607
	099-B	Arikata, LP	306 South 1st Street	New Construction	Approved	06/18/13	06/25/13	09/18/13	\$0	\$3,000,000	\$2,000,000	\$100,000	\$40,000	\$8,000	Pending	Pending
	100-B	Langan Engineering & Environmental	401 East Broadway Avenue	Lease	Completed	08/20/13	08/27/13	01/14/14	N/A	\$55,000	N/A	N/A	\$45,000	\$9,000	05/16/14	N/A
	101-B	Kadlec Enterprises, LLC	307 North 3rd Street	Rehabilitation	Completed	09/17/13	09/24/13	09/25/13	\$212,400	\$490,051	\$550,000	\$30,000	\$40,000	\$8,000	06/14/14	\$412,637
	102-B	Fireflour, LLC	111 North 5th Street	Lease	Completed	09/17/13	09/24/13	09/25/13	N/A	\$28,500	N/A	N/A	\$20,000	\$4,000	10/23/13	\$35,814
	103-B	Norma Apartments, LLP	215 North 3rd Street	Rehabilitation	Completed	10/15/13	10/22/13	11/15/13	\$418,700	\$704,226	\$450,000	\$34,740	\$18,900	\$3,780	10/22/14	\$859,156
	104-B	CC's Physical Therapy, LLC	100 West Broadway Avenue	Lease	Completed	03/18/14	03/26/14	04/02/14	N/A	\$300,000	N/A	N/A	\$10,000	\$2,000	12/10/14	N/A
	105-B	Pure Skin, LLC	100 West Broadway Avenue	Lease	Completed	04/15/14	04/22/14	05/29/14	N/A	\$248,000	N/A	N/A	\$15,000	\$3,000	12/12/14	N/A
	106-B	Broadway Centre Salon & Spa, Inc.	100 West Broadway Avenue	Lease	Completed	04/15/14	04/22/14	05/29/14	N/A	\$558,403	N/A	N/A	\$20,000	\$4,000	12/04/14	N/A
	107-B	Lucky Ducks ND, LLC	307 North 3rd Street	Lease	Completed	05/20/14	05/27/14	05/28/14	N/A	N/A	N/A	N/A	\$40,000	\$8,000	06/15/14	N/A
	108-B	George Yimeman dba Bismarck Realty Co.	113 South 5th Street	Lease	Completed	10/22/14	10/28/14	11/06/14	N/A	\$17,100	N/A	N/A	\$5,000	\$1,000	01/01/15	\$20,365
	109-B	William F. Cleary	100 West Broadway Avenue, Suite 308	Primary Residential	Completed	11/18/14	11/25/14	12/15/14	N/A	N/A	N/A	\$25,000	\$25,000	\$5,000	12/17/14	N/A
RZ2014-001	110-B	Gulch Holdings II, LLC	514 East Main Avenue	Purchase w/ Major	Completed	01/20/15	01/27/15	03/08/15	\$190,300	\$246,035	\$400,000	\$25,000	\$0	\$0	08/22/14	\$258,513
RZ2015-001	111-B	Juniper, LLC	315 East Broadway Avenue	Lease	Completed	02/17/15	02/24/15	03/27/15	N/A	N/A	N/A	N/A	\$25,000	\$5,000	09/24/15	N/A
RZ2015-002	112-B	Terra Nomad, LLC	514 East Main Avenue	Lease	Completed	03/17/15	03/24/15	04/20/15	N/A	\$28,000	N/A	N/A	\$11,000	\$2,200	06/30/15	N/A
RZ2015-003	113-B	Leon 'Curly' Schoch	100 West Broadway Avenue, Suite 311	Primary Residential	Completed	04/30/15	05/12/15	06/03/15	N/A	N/A	N/A	\$25,000	\$10,000	\$2,000	06/10/15	N/A
RZ2015-004	114-B	The Barber's Wife, LLC	116 North 5th Street	Lease	Completed	04/30/15	05/12/15	07/20/15	N/A	\$25,000	N/A	N/A	\$5,000	\$1,000	07/23/15	N/A
RZ2015-006	115-B	Rick and Lori Lee	100 West Broadway Avenue, Suite 318	Primary Residential	Completed	05/19/15	05/26/15	06/30/15	N/A	N/A	N/A	\$24,000	\$30,000	\$6,000	07/01/15	N/A
RZ2015-005	116-B	Kevin D. Reisenauer	100 West Broadway Avenue, Suite 309	Primary Residential	Completed	04/30/15	05/12/15	08/11/15	N/A	N/A	N/A	\$25,000	\$5,000	\$1,000	08/11/15	N/A
RZ2015-007	117-B	100 West Main, LP	100 West Main Avenue	New Construction	Approved	09/15/15	09/22/15	11/23/15	N/A	\$5,206,732	\$3,000,000	\$160,000	\$0	\$0	Pending	Pending
RZ2015-008	118-B	Glasser Images, LLC	510 East Main Avenue	Lease	Completed	11/17/15	11/24/15	04/25/16	N/A	\$140,000	N/A	N/A	\$5,000	\$1,000	04/25/16	N/A
RZ2015-009	119-B	River Road Partners, LLC	212 East Main Avenue	Purchase w/ Major	Approved	12/15/15	12/22/15	02/11/16	\$130,200	\$100,000	\$360,000	\$20,800	\$5,000	\$1,000	Pending	Pending
RZ2016-001	120-B	The Starving Rooster, LLC	512 East Main Avenue	Lease	Completed	06/21/16	06/28/16	07/20/16	N/A	\$600,000	N/A	N/A	\$25,000	\$5,000	03/31/17	N/A
RZ2016-002	121-B	Steven and Carl Hall	100 West Broadway Avenue, Suite 310	Primary Residential	Completed	10/18/16	10/25/16	11/16/16	N/A	N/A	N/A	\$25,000	\$5,000	\$1,000	11/16/16	N/A
RZ2017-001	122-B	NoodleZip	208 East Main Avenue	Lease	Completed	02/08/17	02/28/17	03/17/17	N/A	\$62,000	N/A	N/A	\$15,000	\$3,000	07/21/17	N/A
RZ2017-006	Pending	Traci and Bruce Maragos	100 West Broadway Avenue, Suite 306	Primary Residential	Approved	04/13/17	04/25/17		N/A	N/A	N/A	\$25,000	\$5,000	\$1,000	Pending	N/A
RZ2017-007	123-B	Mark Ruhland	101 West Broadway Avenue, Suite 302	Primary Residential	Completed	06/08/17	06/27/17	08/01/17	N/A	N/A	N/A	\$25,000	\$5,000	\$1,000	Pending	N/A
RZ2017-008	Pending	Lester and Patricia Neff	102 West Broadway Avenue, Suite 320	Primary Residential	Approved	06/08/17	06/27/17		N/A	N/A	N/A	\$25,000	\$5,000	\$1,000	Pending	N/A
RZ2017-009	124-B	701 Roots LLC	201 West Main Avenue	Rehabilitation	Approved	07/13/17	07/25/17	08/02/17	\$827,600	\$600,000	\$1,427,600	\$48,345	\$0	\$0	Pending	Pending
RZ2017-010	125-B	Active Life Chiropractic, PC	201 West Main Avenue	Lease	Approved	07/13/17	07/25/17	08/02/17	N/A	N/A	N/A	N/A	\$64,985	\$12,997	Pending	N/A
									\$16,195,780	\$66,084,227	\$65,557,000	\$5,748,233	\$8,179,898			\$52,536,392